

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1648 Session of 2025

INTRODUCED BY N. NELSON, BURGOS, HILL-EVANS, BRIGGS, GIRAL, SCHLOSSBERG, SANCHEZ, RIVERA, CEPEDA-FREYTIZ, D. WILLIAMS, MAYES, WARREN, CURRY AND GREEN, JUNE 23, 2025

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 4, 2026

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in pupils and attendance, further
6 providing for definitions and providing for mental health
7 days.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The definition of "excused absence" in section
11 1326 of the act of March 10, 1949 (P.L.30, No.14), known as the
12 Public School Code of 1949, is amended to read:

13 Section 1326. Definitions.--When used in this article, the
14 following words and phrases shall have the following meanings:

15 * * *

16 "Excused absence" shall mean an absence from school which is
17 permitted under section 1329 or 1329.1.

18 * * *

19 Section 2. The act is amended by adding a section to read:

1 ~~Section 1329.1. Mental Health Days.--(a) No later than the~~ <--
2 ~~beginning of the 2026-2027 school year, each board of directors~~
3 ~~or governing body of a public, nonpublic or private school shall~~
4 ~~adopt policies to provide an excused absence from compulsory~~
5 ~~school attendance required under this act for a mental health~~
6 ~~day when a student's well being is at risk due to mental or~~
7 ~~physical fatigue, regardless of whether the underlying mental~~
8 ~~health related condition triggering the fatigue is a certified~~
9 ~~mental health related condition or an uncertified mental health~~
10 ~~related condition. The policy adopted under this subsection may~~
11 ~~be based on the model policy developed by the department under~~
12 ~~subsection (d).~~

13 ~~(b) The excused absence under subsection (a) shall be~~
14 ~~categorized as a mental health day.~~

15 ~~(c) Notwithstanding section 1329 or 22 Pa. Code § 11.25~~
16 ~~(relating to temporary excusals due to illness or other urgent~~
17 ~~reasons), a student may use up to two consecutive days for a~~
18 ~~mental health day. Except as provided by the policy adopted~~
19 ~~under subsection (a), a student shall not be permitted to use~~
20 ~~three or more mental health days in a week or in two or more~~
21 ~~consecutive weeks. Except as provided by the policy adopted~~
22 ~~under subsection (a), additional days needed for mental or~~
23 ~~physical fatigue due to an underlying mental health related~~
24 ~~condition shall be permitted under the policies and procedures~~
25 ~~adopted by the school under section 1329.~~

26 ~~(d) Within ninety (90) days of the effective date of this~~
27 ~~section, the department shall develop and publish guidelines for~~
28 ~~schools to implement mental health days and a model policy that~~
29 ~~would meet the requirements of this section for adoption under~~
30 ~~subsection (a). The department shall include evidence based~~

~~1 guidance for a school to integrate the school's responses to
2 student excused absences for a mental health day into the
3 school's support systems for student well being. The guidance
4 shall also include evidence based best practices for a school
5 employe as designated in the policy adopted under subsection
6 (a), to contact a student who uses two or more mental health
7 days and to connect the student to mental health support. In
8 developing the guidelines, the department shall consult with a
9 student advisory group and school administrators:~~

~~10 (1) whose members are directly impacted by student absence
11 rules and policies; and~~

~~12 (2) who represent the diversity of the public school
13 population, including diversity in gender identity, family
14 income, race and ethnicity, geography and any other factors the
15 department determines are relevant.~~

~~16 (e) As used in this section, the following words and phrases
17 shall have the meanings given to them in this subsection:~~

~~18 "Certified mental health related condition" means a condition
19 or behavior recognized and diagnosed through examination of the
20 student by a physician or mental health professional, including:~~

~~21 (1) Attention deficit hyperactivity disorder.~~

~~22 (2) Anxiety.~~

~~23 (3) Depression.~~

~~24 (4) Obsessive compulsive disorder.~~

~~25 (5) Learning and developmental disabilities.~~

~~26 (6) Autism.~~

~~27 (7) Substance use disorder.~~

~~28 (8) Eating disorders.~~

~~29 (9) Self harm.~~

~~30 (10) Any other similar condition or behavior recognized and~~

1 ~~diagnosed through examination of the student by a physician or~~
2 ~~mental health professional.~~

3 ~~"Extended family" means a member of the student's family~~
4 ~~network, including an aunt, uncle, cousin, niece or nephew who~~
5 ~~lives in the same community as the student. The family member~~
6 ~~may be related to the student as a natural relative, by marriage~~
7 ~~to a natural relative or through the adoption process and may be~~
8 ~~of any degree up to the third degree.~~

9 ~~"Fatigue" means a reduction of energy, stamina or focus that~~
10 ~~impacts mental or physical performance due to stressors or other~~
11 ~~related certified mental health related conditions or~~
12 ~~uncertified mental health related conditions.~~

13 ~~"Immediate family" means a member of the student's nuclear~~
14 ~~family, including any of the following related to the student as~~
15 ~~a natural relative, by marriage to a natural relative or through~~
16 ~~the adoption process:~~

17 ~~(1) A parent, grandparent, sibling or near relative who~~
18 ~~resides in the same household as the student.~~

19 ~~(2) A child of the student.~~

20 ~~"Mental health day" means a day to allow a student to attain~~
21 ~~care, rest or treatment to address a certified mental health~~
22 ~~related condition or uncertified mental health related~~
23 ~~condition.~~

24 ~~"School" means a school district, area career and technical~~
25 ~~school, charter school, cyber charter school or independent~~
26 ~~school.~~

27 ~~"Uncertified mental health related condition" means a~~
28 ~~condition or behavior exhibited by a student that has not been~~
29 ~~diagnosed by a physician or mental health professional, but that~~
30 ~~causes the student to experience overwhelming feelings of~~

1 ~~stress, situational grief or trauma induced suffering which~~
2 ~~impede learning, including:~~

3 ~~(1) The death of or a severe injury sustained by a member of~~
4 ~~the student's immediate family or the student's extended family.~~

5 ~~(2) The death of the student's emotional support service~~
6 ~~animal.~~

7 ~~(3) A school related incident or event that traumatically~~
8 ~~affected the student, the student's friend or a staff member,~~
9 ~~classroom aide, administrator or teacher at the school.~~

10 ~~(4) A community incident or event that induced trauma for~~
11 ~~the student.~~

12 ~~(5) An accident or incident resulting in death or harm,~~
13 ~~injury or suffering of the student, an immediate or extended~~
14 ~~family member or a friend of the student regardless of where the~~
15 ~~accident or incident occurred.~~

16 ~~(6) An act of bullying of the student by another student at~~
17 ~~the school, the school grounds or the route used to traverse to~~
18 ~~and from the school, if the act was reported by the student to~~
19 ~~the school.~~

20 ~~(7) Compounding stressors, including academic pressure,~~
21 ~~burnout and any other factors that impact a student's ability to~~
22 ~~focus due to poor mental health.~~

23 ~~(8) Any other similar reason, incident or event triggering~~
24 ~~mental or physical fatigue due to an underlying mental health~~
25 ~~related stressor even though the student has not been diagnosed~~
26 ~~by a physician or mental health professional. (A) WITHIN ONE~~ <--

27 ~~HUNDRED EIGHTY (180) DAYS OF THE EFFECTIVE DATE OF THIS~~
28 ~~SUBSECTION, THE DEPARTMENT SHALL DEVELOP AND PUBLISH A MODEL~~
29 ~~POLICY AND GUIDELINES FOR STUDENT MENTAL HEALTH DAYS. THE~~
30 ~~DEPARTMENT SHALL INCLUDE IN THE GUIDELINES EVIDENCE-BASED BEST~~

1 PRACTICES FOR A SCHOOL TO CONNECT STUDENTS USING MENTAL HEALTH
2 DAYS WITH MENTAL HEALTH SUPPORT UNDER THE SCHOOL'S STUDENT
3 ASSISTANCE PROGRAM. IN DEVELOPING THE GUIDELINES AND MODEL
4 POLICY, THE DEPARTMENT SHALL CONSULT WITH THE WORK GROUP
5 ESTABLISHED BY THE DEPARTMENT UNDER SUBSECTION (B) (1).

6 (B) (1) THE DEPARTMENT SHALL ESTABLISH A WORK GROUP TO
7 ADVISE THE DEPARTMENT ON THE DEVELOPMENT OF THE MODEL POLICY AND
8 GUIDELINES REQUIRED UNDER SUBSECTION (A). THE WORK GROUP SHALL
9 CONSIST OF THE FOLLOWING MEMBERS:

10 (I) APPOINTED BY THE SECRETARY OF EDUCATION:

11 (A) TWO EDUCATION SUPPORT PROFESSIONALS WITH EXPERIENCE IN
12 SCHOOL ATTENDANCE MATTERS RECOMMENDED BY THE PENNSYLVANIA STATE
13 EDUCATION ASSOCIATION.

14 (B) TWO BUILDING PRINCIPALS RECOMMENDED BY THE PENNSYLVANIA
15 PRINCIPALS ASSOCIATION.

16 (C) TWO SCHOOL COUNSELORS RECOMMENDED BY THE PENNSYLVANIA
17 SCHOOL COUNSELORS ASSOCIATION.

18 (D) TWO SCHOOL SOCIAL WORKERS RECOMMENDED BY THE
19 PENNSYLVANIA ASSOCIATION OF SCHOOL SOCIAL WORK PERSONNEL.

20 (E) TWO SCHOOL PSYCHOLOGISTS RECOMMENDED BY THE ASSOCIATION
21 OF SCHOOL PSYCHOLOGISTS OF PENNSYLVANIA.

22 (F) ONE SCHOOL BOARD MEMBER AND ONE SOLICITOR OR SCHOOL
23 ADMINISTRATOR RECOMMENDED BY THE PENNSYLVANIA SCHOOL BOARDS
24 ASSOCIATION.

25 (II) ONE STUDENT APPOINTED BY EACH OF THE FOLLOWING:

26 (A) THE PRESIDENT PRO TEMPORE OF THE SENATE.

27 (B) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

28 (C) THE MINORITY LEADER OF THE SENATE.

29 (D) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

30 (2) THE DEPARTMENT SHALL HOLD AT LEAST THREE MEETINGS WITH

1 THE WORK GROUP UNDER PARAGRAPH (1), WITH THE FIRST MEETING BEING
2 HELD NO LATER THAN THIRTY (30) DAYS FROM THE EFFECTIVE DATE OF
3 THIS PARAGRAPH.

4 (C) UPON THE DEPARTMENT'S DEVELOPMENT OF A MODEL POLICY AND
5 GUIDELINES UNDER SUBSECTION (A), THE GOVERNING BODY OF EACH
6 SCHOOL SHALL REVIEW ITS ATTENDANCE POLICY AND, NO LATER THAN THE
7 BEGINNING OF THE 2027-2028 SCHOOL YEAR, MODIFY THE ATTENDANCE
8 POLICY TO INCORPORATE STUDENT MENTAL HEALTH DAYS. THE POLICY
9 ADOPTED BY THE SCHOOL MAY BE BASED ON THE MODEL POLICY DEVELOPED
10 BY THE DEPARTMENT.

11 (D) AS USED IN THIS SECTION, THE TERM "SCHOOL" SHALL HAVE
12 THE MEANING GIVEN TO IT IN SECTION 1326.

13 Section 3. This act shall take effect ~~in 60 days~~ <--
14 IMMEDIATELY. <--