

By: Zaffirini, Cook

S.B. No. 52

A BILL TO BE ENTITLED

1 AN ACT

2 relating to excused absences from public school for a student's  
3 mental or behavioral health.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 25.087, Education Code, is amended by  
6 adding Subsection (b-9) and amending Subsection (d) to read as  
7 follows:

8 (b-9) A school district shall excuse a student from  
9 attending school for a maximum of five days in a school year so that  
10 the student may seek or receive mental or behavioral health  
11 treatment, support, or diagnosis with documentation from the  
12 student's health care professional. The board of trustees of a  
13 school district may adopt a policy to allow a student to be excused  
14 for an absence related to mental or behavioral health treatment,  
15 support, or diagnosis without documentation from the student's  
16 health care professional. The policy may require the student to:

17 (1) provide documentation from a previous visit with a  
18 health care professional related to the student's mental or  
19 behavioral health; or

20 (2) be seen by the school counselor or a similarly  
21 qualified district professional:

22 (A) with written consent from the student's  
23 parent or guardian; or

24 (B) if applicable, in accordance with Section

1 32.004, Family Code.

2 (d) A student whose absence is excused under Subsection (b),  
3 (b-1), (b-2), (b-4), (b-5), (b-7), (b-8), (b-9), or (c) may not be  
4 penalized for that absence and shall be counted as if the student  
5 attended school for purposes of calculating the average daily  
6 attendance of students in the school district. A student whose  
7 absence is excused under Subsection (b), (b-1), (b-2), (b-4),  
8 (b-5), (b-7), (b-8), (b-9), or (c) shall be allowed a reasonable  
9 time to make up school work missed on those days. If the student  
10 satisfactorily completes the school work, the day of absence shall  
11 be counted as a day of compulsory attendance.

12 SECTION 2. This Act applies beginning with the 2025-2026  
13 school year.

14 SECTION 3. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2025.