AN ACT relating to student mental health.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 159.035 is amended to read as follows:

(1) Notwithstanding the provisions of any other statute, any student in a public school who is enrolled in a properly organized 4-H club shall be considered present at school for all purposes when participating in regularly scheduled 4-H club educational activities, provided, the student is accompanied by or under the supervision of a county extension agent or the designated 4-H club leader for the 4-H club educational activity participated in.

(2) Notwithstanding the provisions of any other statute, any student in a public school shall be considered present for all purposes for up to ten (10) days while attending basic training required by a branch of the United States Armed Forces.

(3) Except as provided in paragraph (e) of this subsection, a public school principal shall give a student an excused absence of up to ten (10) school days to pursue an educational enhancement opportunity determined by the principal to be of significant educational value, including but not limited to participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

(a) A student receiving an excused absence under this subsection shall have the opportunity to make up school work missed and shall not have his or her class grades adversely affected for lack of class attendance or class participation due to the excused absence.

(b) Educational enhancement opportunities under this subsection shall not include nonacademic extracurricular activities, but may include programs not sponsored by the school district.

(c) If a request for an excused absence to pursue an educational enhancement
opportunity is denied by a school principal, a student may appeal the decision
to the district superintendent, who shall make a determination whether to
uphold or alter the decision of the principal. If a superintendent upholds a
principal's denial, a student may appeal the decision to the local board of
education, which shall make a final determination. A principal,
superintendent, and local board of education shall make their determinations
based on the provisions of this subsection and the district's school attendance
policies adopted in accordance with KRS 158.070 and KRS 159.150.

(d) A student receiving an excused absence under the provisions of this
subsection shall be considered present in school during the excused absence
for the purposes of calculating average daily attendance as defined by KRS
157.320 under the Support Education Excellence in Kentucky program.

(e) A student shall not be eligible to receive an excused absence under the
provisions of this subsection for an absence during a school's testing window
established for assessments of the state assessment developed under KRS
158.6453 or during a testing period established for the administration of
additional district-wide assessments at the school, except if a principal
determines that extenuating circumstances make an excused absence to pursue
an educational enhancement opportunity appropriate.

(4) (a) If a student's parent, de facto custodian, or other person with legal custody or
control of the student is a member of the United States Armed Forces,
including a member of a state National Guard or a Reserve component called
to federal active duty, a public school principal shall give the student:
1. An excused absence for one (1) day when the member is deployed;
2. An additional excused absence for one (1) day when the service member
returns from deployment; and
3. Excused absences for up to ten (10) days for visitation when the member
is stationed out of the country and is granted rest and recuperation leave.

(b) A student receiving an excused absence under this subsection shall have the
opportunity to make up school work missed and shall not have his or her class
grades adversely affected for lack of class attendance or class participation due
to the excused absence.

(c) A student receiving an excused absence under this subsection shall be
considered present in school during the excused absence for the purposes of
calculating average daily attendance as defined by KRS 157.320 under the
Support Education Excellence in Kentucky program.

(5) A local school district's student attendance policy shall include provisions for
excused absences due to a student's mental or behavioral health status.