

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a notification requirement if a public school,
3 including an open-enrollment charter school, does not have a nurse,
4 school counselor, or librarian assigned to the school during all
5 instructional hours.

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

7 SECTION 1. Subchapter C, Chapter 25, Education Code, is
8 amended by adding Section 25.097 to read as follows:

9 Sec. 25.097. PARENTAL NOTIFICATION CONCERNING NURSES,
10 SCHOOL COUNSELORS, AND LIBRARIANS. (a) In this section:

11 (1) "Librarian" means a person certified as a
12 librarian under Subchapter B, Chapter 21.

13 (2) "Nurse" means a person licensed under Chapter 301,
14 Occupations Code.

15 (3) "School counselor" means a person certified as a
16 school counselor under Subchapter B, Chapter 21.

17 (b) A public school, including an open-enrollment charter
18 school, that does not have a full-time nurse, school counselor, or
19 librarian or the equivalent of a full-time nurse, school counselor,
20 or librarian assigned to be present at the school for more than 30
21 consecutive instructional days during the same school year shall
22 provide written notice of the absence to the parent of or other
23 person standing in parental relation to each student enrolled in
24 the school.

1 (c) A school has the equivalent of a full-time nurse under
2 Subsection (b) if the school has two or more nurses assigned to the
3 school and all regular student instructional hours at the campus
4 during the regular school day are covered by the assignment of at
5 least one nurse.

6 (d) A school has the equivalent of a full-time school
7 counselor under Subsection (b) if the school has two or more school
8 counselors assigned to the school and all regular student
9 instructional hours at the campus during the regular school day are
10 covered by the assignment of at least one school counselor.

11 (e) A school has the equivalent of a full-time librarian
12 under Subsection (b) if the school has two or more librarians
13 assigned to the school and all regular student instructional hours
14 at the campus during the regular school day are covered by the
15 assignment of at least one librarian.

16 (f) The principal of the school shall provide the notice
17 required by Subsection (b) not later than the 30th instructional
18 day after the first day the school does not have a full-time nurse,
19 school counselor, or librarian assigned to be present at the
20 school.

21 (g) The school shall:

22 (1) make a good faith effort to ensure that the notice
23 required by this section is provided in a bilingual form to any
24 parent or other person standing in parental relation whose primary
25 language is not English; and

26 (2) retain a copy of any notice provided under this
27 section.

1 (h) A school may satisfy the notice requirement under
2 Subsection (f) by posting the notice on the school's Internet
3 website. Notice posted under this subsection must be accessible
4 from the home page of the Internet website by use of not more than
5 three links.

6 SECTION 2. This Act applies beginning with the 2017-2018
7 school year.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2017.