

By: Garcia

S.B. No. 196

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, "nurse"
11 means a nurse licensed under Chapter 301, Occupations Code.

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

20 (c) A school has the equivalent of a full-time nurse, school
21 counselor, or librarian under Subsection (b) if the school has two
22 or more nurses, school counselors, or librarians, as applicable,
23 assigned to the school and the combined presence of the nurses,
24 school counselors, or librarians, as applicable, covers all regular

1 student instructional hours at a campus during the regular school
2 day.

3 (d) The principal of the school shall provide the notice
4 required by Subsection (b) not later than the 30th instructional
5 day after the first day the school does not have a full-time nurse,
6 school counselor, or librarian assigned to be present at the
7 school.

8 (e) The school shall:

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

13 (2) retain a copy of any notice provided under this
14 section.

15 (f) A school may satisfy the notice requirement under
16 Subsection (d) by posting the notice on the school's Internet
17 website. Notice posted under this subsection must be accessible
18 from the home page of the Internet website by use of not more than
19 three links.

20 (g) A school district that is located in a county with a
21 population of less than 100,000 is not required to provide the
22 notice required by this section.

23 SECTION 2. This Act applies beginning with the 2017-2018
24 school year.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2017.