1-1 By: Garcia, Lucio S.B. No. 196 1-2 1-3 (In the Senate - Filed November 14, 2016; January 25, 2017, read first time and referred to Committee on Education; April 24, 2017, reported adversely, with favorable Committee 1-4 1-5 Substitute by the following vote: Yeas 8, Nays 3; April 24, 2017, 1-6 sent to printer.)

COMMITTEE VOTE 1-7

1 - 8		Yea	Nay	Absent	PNV
1-9	Taylor of Galveston	Χ			
1-10	Lucio	Х			
1-11	Bettencourt	Χ			
1-12	Campbell	Χ			
1-13	Hall		Х		
1-14	Huffines		Х		
1-15	Hughes	Χ			
1-16	Seliger	Χ			
1-17	Taylor of Collin		Χ		
1-18	Uresti	Х			
1-19	West	Х			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 196

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West By:

A BILL TO BE ENTITLED AN ACT

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

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

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

Sec. 25.097. PARENTAL NOTIFICATION CONCERNING NURSES,

SCHOOL COUNSELORS, AND LIBRARIANS. (a) In this section:
(1) "Librarian" means a person certified as librarian under Subchapter B, Chapter 21.

(2) "Nurse" means a person licensed under Chapter 301,

- Occupations Code.

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

 (b) A public school, including an open-enrollment charter school, that does not have a full-time nurse, school counselor, or librarian or the equivalent of a full-time nurse, school counselor, or librarian assigned to be present at the school for more than 30 consecutive instructional days during the same school year shall provide written notice of the absence to the parent of or other person standing in parental relation to each student enrolled in the school.
- (c) A school has the equivalent of a full-time nurse under Subsection (b) if the school has two or more nurses assigned to the school and all regular student instructional hours at the campus during the regular school day are covered by the assignment of at least one nurse.
- (d) A school has the equivalent of a full-time school counselor under Subsection (b) if the school has two or more school school has the counselors assigned to the school and all regular student instructional hours at the campus during the regular school day are
- covered by the assignment of at least one school counselor.

 (e) A school has the equivalent of a full-time librarian under Subsection (b) if the school has two or more librarians 1-56 1-57 assigned to the school and all regular student instructional hours 1-58 at the campus during the regular school day are covered by the 1-59 assignment of at least one librarian. 1-60

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C.S.S.B. No. 196

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

(g)

The school shall:

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

(2) retain a copy of any notice provided under this

2-12 section. 2-13

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

SECTION 2. This Act applies beginning with the 2017-2018

school year.

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

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