

## **BILL ANALYSIS**

C.S.H.B. 1847  
By: Coleman  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties note that many parents of public school students are not aware of the part-time status or schedules of school nurses, counselors, or librarians assigned to the student's school. The parties have expressed a need for notification to parents if the school attended by their children does not have a full-time school nurse, counselor, or librarian or the equivalent of a full-time nurse, counselor, or librarian assigned to be present on the campus for a certain prescribed time period during a school year. C.S.H.B. 1847 seeks to provide for that notification.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1847 amends the Education Code to require a public school, including an open-enrollment charter school, that does not have a full-time licensed nurse, certified school counselor, or certified librarian or the equivalent of a full-time licensed nurse, certified school counselor, or certified librarian assigned to be present at the school for more than 30 consecutive instructional days during the same school year to provide written notice of the absence to the parent of or other person standing in parental relation to each student enrolled in the school. The bill establishes that a school has the equivalent of a full-time licensed nurse, certified school counselor, or certified librarian if the school has two or more licensed nurses, certified school counselors, or certified librarians, respectively, 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 licensed nurse, certified school counselor, or certified librarian, respectively.

C.S.H.B. 1847 requires the school to make a good faith effort to ensure that the notice is provided in a bilingual form to any parent or other person standing in parental relation whose primary language is not English and to retain a copy of any notice. The bill requires the principal of the school to provide the notice not later than the 30th instructional day after the first day the school does not have a full-time licensed nurse, certified school counselor, or certified librarian assigned to be present at the school and authorizes a school to satisfy this notice requirement by posting the notice on the school's website. The bill requires notice posted in this manner to be accessible from the home page of the website by use of not more than three links. The bill applies beginning with the 2017-2018 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

85R 28348

17.124.868

Substitute Document Number: 85R 22807

## COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1847 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

### INTRODUCED

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.020 to read as follows:

Sec. 38.020. PARENTAL NOTIFICATION CONCERNING NURSES.

(a) In this section, "nurse" means a nurse licensed under Chapter 301, Occupations Code.

(b) A public school, including an open-enrollment charter school, that does not have a full-time nurse or the equivalent of a full-time nurse assigned to be present on the campus for more than 30 consecutive instructional days during the same school year shall provide written notice of the absence of a nurse 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 those nurses' combined presence covers all regular student instructional hours at a campus during the regular school day.

(d) The principal of the school shall provide

### HOUSE COMMITTEE SUBSTITUTE

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 a 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 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 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 librarian.

(f) 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 assigned to be present on the campus.

(e) 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 section.

(f) A school may satisfy the notice requirement under Subsection (d) 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.

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 section.

(h) A 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. Same as introduced version.

SECTION 3. Same as introduced version.