

By: Ellis

S.B. No. 418

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.021 to read as follows:

Sec. 38.021. 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 the notice required by Subsection (b) not later than the 30th instructional

1 day after the first day the school does not have a full-time nurse
2 assigned to be present on the campus.

3 (e) The school shall:

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

8 (2) retain a copy of any notice provided under this
9 section.

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

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

18 SECTION 2. This Act applies beginning with the 2013-2014
19 school year.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2013.