

1-1 By: Ellis S.B. No. 418
1-2 (In the Senate - Filed February 7, 2013; February 13, 2013,
1-3 read first time and referred to Committee on Education;
1-4 April 8, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 8, 2013,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8		Yea	Nay	Absent	PNV
1-9	Patrick	X			
1-10	Lucio	X			
1-11	Campbell	X			
1-12	Duncan	X			
1-13	Paxton	X			
1-14	Seliger	X			
1-15	Taylor	X			
1-16	Van de Putte	X			
1-17	West	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 418 By: Lucio

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to a notification requirement if a public school campus or
1-22 open-enrollment charter school does not have a nurse assigned to
1-23 the campus during all instructional hours.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter A, Chapter 38, Education Code, is
1-26 amended by adding Section 38.021 to read as follows:

1-27 Sec. 38.021. PARENTAL NOTIFICATION CONCERNING NURSES.

1-28 (a) In this section, "nurse" means a nurse licensed under Chapter
1-29 301, Occupations Code.

1-30 (b) A public school, including an open-enrollment charter
1-31 school, that does not have a full-time nurse or the equivalent of a
1-32 full-time nurse assigned to be present on the campus for more than
1-33 30 consecutive instructional days during the same school year shall
1-34 provide written notice of the absence of a nurse to the parent of or
1-35 other person standing in parental relation to each student enrolled
1-36 in the school.

1-37 (c) A school has the equivalent of a full-time nurse under
1-38 Subsection (b) if the school has two or more nurses assigned to the
1-39 school and those nurses' combined presence covers all regular
1-40 student instructional hours at a campus during the regular school
1-41 day.

1-42 (d) The principal of the school shall provide the notice
1-43 required by Subsection (b) not later than the 30th instructional
1-44 day after the first day the school does not have a full-time nurse
1-45 assigned to be present on the campus.

1-46 (e) The school shall:

1-47 (1) make a good faith effort to ensure that the notice
1-48 required by this section is provided in a bilingual form to any
1-49 parent or other person standing in parental relation whose primary
1-50 language is not English; and

1-51 (2) retain a copy of any notice provided under this
1-52 section.

1-53 (f) A school may satisfy the notice requirement under
1-54 Subsection (d) by posting the notice on the school's Internet
1-55 website. Notice posted under this subsection must be accessible
1-56 from the home page of the Internet website by use of not more than
1-57 three links.

1-58 SECTION 2. This Act applies beginning with the 2013-2014
1-59 school year.

1-60 SECTION 3. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as
2-2 provided by Section 39, Article III, Texas Constitution. If this
2-3 Act does not receive the vote necessary for immediate effect, this
2-4 Act takes effect September 1, 2013.

2-5

* * * * *