

## **BILL ANALYSIS**

Senate Research Center

S.B. 196  
By: Garcia  
Education  
6/5/2017  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Many parents and children assume that there is always a nurse, and/or counselor, and/or librarian on staff at the school during normal school instructional hours, but that is not always the case. Nurses, school counselors, and librarians all play a critical role in a child's well-being in and outside of the classroom. School counselors address children's mental health concerns, nurses address children's physical health concerns, and librarians often help students with research and college preparedness. Needless to say, students perform better academically when they are receiving help they need from nurses, counselors, and/or librarians. When a student does not have access to one or more of these staffers, a parent has a right to know.

S.B. 196 requires that parents receive notification if their child's school does not have a full-time nurse, school counselor, or librarian, or the equivalent of a full-time nurse, counselor, or librarian. This notice can be posted on the school's website. Additionally, every effort should be made to ensure that the notice is translated in a bilingual form. S.B. 196 would apply to all Texas public schools, and open-enrollment charter schools, and would be enacted beginning with the 2017-2018 school year. (Original Author's / Sponsor's Statement of Intent)

S.B. 196 amends current law 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.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 25, Education Code, by adding Section 25.097, as follows:

Sec. 25.097. PARENTAL NOTIFICATION CONCERNING NURSES, SCHOOL COUNSELORS, AND LIBRARIANS. (a) Defines "librarian," "nurse," and "school counselor."

(b) Requires a public school, including an open-enrollment charter school, except as otherwise provided by Subsection (i), 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 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.

(c) Provides that 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) Provides that 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) Provides that 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) Requires the principal of the school to 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) Requires the school to make a good faith effort to ensure that the required 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 provided under this section.

(h) Authorizes a school to satisfy the notice requirement under Subsection (f) by posting the notice on the school's Internet website. Requires that the posted notice be accessible from the home page of the Internet website by use of not more than three links.

(i) Provides that this section does not apply to a school district or open-enrollment charter school with a student enrollment of less than 10,000 students.

SECTION 2. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 3. Effective date: upon passage or September 1, 2017.