

BILL ANALYSIS

H.B. 2846
By: Coleman
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Nurses play a critical role in a child's well-being in and outside of the classroom by addressing children's physical health concerns. Many parents and children assume that there is always a nurse on staff at the school during normal school instructional hours, but that is not always the case. H.B. 2846 seeks to keep parents better informed in such a situation by providing for a parental notification requirement.

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

H.B. 2846 amends the Education Code to establish a notification requirement regarding the assignment of nurses by a public school district or open-enrollment charter school with a student enrollment of 10,000 or more students. The notification requirement is triggered when an applicable school does not have a full-time nurse or the equivalent of a full-time nurse assigned to be present during all instructional hours at the school for more than 30 consecutive instructional days during the same school year. Accordingly, the bill provides the following:

- the applicable school must provide written notice of the absence to the parent of or other person standing in parental relation to each student enrolled in the school;
- a school has the equivalent of a full-time nurse under the following conditions:
 - if the school has two or more nurses assigned to the school; and
 - if all regular student instructional hours at the school during the regular school day are covered by the assignment of at least one nurse;
- the principal of the school must provide the notice not later than the 30th instructional day after the first day the school does not have a full-time nurse or the equivalent of a full-time nurse assigned to be present at the school;
- the school must 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;
- the school must retain a copy of any provided notice; and
- a school may satisfy the notice requirement by posting the notice on the school's website, which must be accessible from the home page of the website by use of not more than three links.

H.B. 2846 applies beginning with the 2021-2022 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.