AN ACT
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.

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

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) Except as otherwise provided by Subsection (i), 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
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.

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.

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.

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, school counselor, or librarian assigned to be present at the school.

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.

(i) 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. 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.
S.B. No. 196

[Signature]
President of the Senate

I hereby certify that S.B. No. 196 passed the Senate on May 2, 2017, by the following vote: Yeas 19, Nays 12; and that the Senate concurred in House amendment on May 26, 2017, by the following vote: Yeas 19, Nays 12.

[Signature]
Secretary of the Senate

I hereby certify that S.B. No. 196 passed the House, with amendment, on May 24, 2017, by the following vote: Yeas 80, Nays 63, one present not voting.

[Signature]
Chief Clerk of the House

Approved:

[Signature]
Governor

[Signature]
Secretary of State
TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto Senate Bill No. 196 as passed by the Eighty-Fifth Texas Legislature, Regular Session, because of the following objections:

Our public schools should be focused on educating students in the classroom. Senate Bill 196 detracts from that focus and imposes a needless regulatory mandate on schools.

Since the Eighty-Fifth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.

IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2017.

GREG ABBOTT
Governor of Texas

ATTESTED BY:

ROLANDO B. PABLOS
Secretary of State
TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB196 by Garcia (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.), As Passed 2nd House

No fiscal implication to the State is anticipated.

The bill would require the principal of a school or charter school to give written notice to parents if the school does not have a full-time nurse, school counselor, or librarian for more than 30 consecutive instructional days during the same school year. The bill would not apply to a school district or charter school with a student enrollment of less than 10,000 students.

Local Government Impact

School districts to which the bill applies could incur some costs related to providing the required notice and translating the notice into the appropriate language for parents whose primary language is not English. However, these costs are not expected to be significant since the bill allows for the notice to be posted on the district's internet website.

Source Agencies: 701 Texas Education Agency
LBB Staff: UP, AW, Tho, AM
TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB196 by Garcia (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.), Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

The bill would require the principal of a school or charter school to give written notice to parents if the school does not have a full-time nurse, school counselor, or librarian for more than 30 consecutive instructional days during the same school year.

Local Government Impact

School districts and open-enrollment charter schools may incur some costs related to providing the required notice and translating the notice into the appropriate language for parents whose primary language is not English. However, these costs are not expected to be significant since the bill allows for the notice to be posted on the district's or charter's internet website.

Source Agencies: 701 Texas Education Agency

LBB Staff: UP, AW, THo, AM
TO: Honorable Larry Taylor, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB196 by Garcia (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.), As Introduced

**No fiscal implication to the State is anticipated.**

The bill would require the principal of a school or charter school located in counties with populations of at least 100,000 to give written notice to parents if the school does not have a full-time nurse, school counselor, or librarian for more than 30 consecutive instructional days during the same school year.

**Local Government Impact**

School districts and open-enrollment charter schools may incur some costs related to providing the required notice and translating the notice into the appropriate language for parents whose primary language is not English. However, these costs are not expected to be significant since the bill allows for the notice to be posted on the district’s or charter’s internet website.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** UP, THo, AM, AW