

- SUBJECT:** Requiring parental notification of school nurse off-duty hours
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 12 ayes — Dutton, Lozano, Allen, Allison, K. Bell, Bernal, Buckley, Huberty, K. King, Meza, Talarico, VanDeaver
- 0 nays
- 1 absent — M. González
- WITNESSES:** For — Alison Mohr Boleware, National Association of Social Workers - Texas Chapter; (*Registered, but did not testify:* Andrea Chevalier, Association of Texas Professional Educators; Jason Sabo, Children at Risk; Maggie Stern, Children's Defense Fund - Texas; Josette Saxton, Texans Care for Children; Dena Donaldson, Texas American Federation of Teachers; Paige Williams, Texas Classroom Teachers Association; Clayton Travis, Texas Pediatric Society; Suzi Kennon, Texas PTA; Kevin Stewart, Texas School Nurses Organization; Carrie Griffith, Texas State Teachers Association; Ashley Harris, United Ways of Texas)
- Against — None
- On — (*Registered, but did not testify:* Eric Marin and Monica Martinez, Texas Education Agency)
- BACKGROUND:** Some have noted that school nurses are not always present at schools during normal instructional hours and have called for parents and guardians to be kept informed about the presence of a nurse.
- DIGEST:** HB 2846 would require a public school, including an open-enrollment charter school, that did not have a full-time nurse or the equivalent of a full-time nurse 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 or guardian of each student enrolled in the school.

A school would be considered to have the equivalent of a full-time nurse if the school had two or more nurses assigned to the school and all regular student instructional hours at the school during the regular school day were covered by the assignment of at least one nurse.

The principal of the school would have to provide the required notice by the 30th instructional day after the first day the school did not have a full-time nurse or the equivalent assigned to be present at the school.

The bill would require the school to:

- make a good faith effort to ensure that the notice was provided in a bilingual form to any parent or guardian whose primary language was not English; and
- retain a copy of any notice provided under the bill.

A school could satisfy the notice requirement by posting the notice on the school's website. The notice would have to be accessible from the website's home page by use of not more than three links.

The bill's provisions would not apply to a school district or open-enrollment charter school with a student enrollment of less than 10,000 students.

HB 2846 would apply beginning with the 2021-2022 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2021.