

By: Lopez of Cameron

H.B. No. 79

A BILL TO BE ENTITLED

AN ACT

relating to the employment of certified school counselors by school districts.

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

SECTION 1. Section 33.002, Education Code, is amended to read as follows:

Sec. 33.002. ~~[CERTIFIED]~~ SCHOOL COUNSELOR TO STUDENT RATIO;
DISTRIBUTION OF FUNDS FOR COUNSELING PROGRAMS. (a) In this section, "school counselor" means a school counselor certified under Subchapter B, Chapter 21.

(a-1) From funds appropriated for the purpose or other funds that may be used for the purpose, the commissioner shall distribute funds for programs under this subchapter. In distributing those funds, the commissioner shall give preference to ~~[a school district that received funds under this subsection for the preceding school year and then to]~~ the districts that have the highest concentration of students at risk of dropping out of school, as described by Section 29.081. To receive funds for the program, a school district must apply to the commissioner. For each school year that a school district receives funds under this subsection, the district shall allocate an amount of local funds for school guidance and counseling programs that is equal to or greater than the amount of local funds that the school district allocated for that purpose during the preceding school year. Funds distributed under this

1 subsection are in addition to any other funds available for
2 programs under this subchapter, including funds provided under
3 Section 48.2641 [~~This section applies only to a school district~~
4 ~~that receives funds as provided by this subsection~~].

5 (b) Beginning with the 2031-2032 school year, a [A] school
6 district with 300 [~~500~~] or more students in enrollment [~~enrolled in~~
7 ~~elementary school grades~~] shall employ a school counselor
8 [~~certified under the rules of the State Board for Educator~~
9 ~~Certification~~] for each [~~elementary~~] school in the district. A
10 school district shall employ at least one school counselor for
11 every 300 [~~500 elementary school~~] students in the district.

12 (b-1) Beginning with the 2029-2030 school year, a school
13 district with 350 or more students in enrollment shall employ a
14 school counselor for each school in the district. A school district
15 shall employ at least one school counselor for every 350 students in
16 the district. This subsection expires September 1, 2031.

17 (b-2) Beginning with the 2027-2028 school year, a school
18 district with 400 or more students in enrollment shall employ a
19 school counselor for each school in the district. A school district
20 shall employ at least one school counselor for every 400 students in
21 the district. This subsection expires September 1, 2029.

22 (b-3) Beginning with the 2025-2026 school year, a school
23 district with 450 or more students in enrollment shall employ a
24 school counselor for each school in the district. A school district
25 shall employ at least one school counselor for every 450 students in
26 the district. This subsection expires September 1, 2027.

27 (b-4) A school district with 500 or more students in

1 enrollment shall employ a school counselor for each school in the
2 district. A school district shall employ at least one school
3 counselor for every 500 students in the district. This subsection
4 expires September 1, 2025.

5 (c) Beginning with the 2031-2032 school year, a [A] school
6 district with fewer than 300 [500] students in enrollment [~~enrolled~~
7 ~~in elementary school grades~~] shall provide guidance and counseling
8 services to [~~elementary school~~] students by:

9 (1) employing a part-time school counselor [~~certified~~
10 ~~under the rules of the State Board for Educator Certification]~~;

11 (2) employing a part-time teacher certified as a
12 school counselor under Subchapter B, Chapter 21 [~~the rules of the~~
13 ~~State Board for Educator Certification]~~; or

14 (3) entering into a shared services arrangement
15 agreement with one or more school districts to share a school
16 counselor [~~certified under the rules of the State Board for~~
17 ~~Educator Certification]~~.

18 (c-1) Beginning with the 2029-2030 school year, a school
19 district with fewer than 350 students in enrollment shall provide
20 guidance and counseling services to students by:

21 (1) employing a part-time school counselor;

22 (2) employing a part-time teacher certified as a
23 school counselor under Subchapter B, Chapter 21; or

24 (3) entering into a shared services arrangement
25 agreement with one or more school districts to share a school
26 counselor.

27 (c-2) Subsection (c-1) and this subsection expire September

1 1, 2031.

2 (c-3) Beginning with the 2027-2028 school year, a school
3 district with fewer than 400 students in enrollment shall provide
4 guidance and counseling services to students by:

5 (1) employing a part-time school counselor;

6 (2) employing a part-time teacher certified as a
7 school counselor under Subchapter B, Chapter 21; or

8 (3) entering into a shared services arrangement
9 agreement with one or more school districts to share a school
10 counselor.

11 (c-4) Subsection (c-3) and this subsection expire September
12 1, 2029.

13 (c-5) Beginning with the 2025-2026 school year, a school
14 district with fewer than 450 students in enrollment shall provide
15 guidance and counseling services to students by:

16 (1) employing a part-time school counselor;

17 (2) employing a part-time teacher certified as a
18 school counselor under Subchapter B, Chapter 21; or

19 (3) entering into a shared services arrangement
20 agreement with one or more school districts to share a school
21 counselor.

22 (c-6) Subsection (c-5) and this subsection expire September
23 1, 2027.

24 (c-7) A school district with fewer than 500 students in
25 enrollment shall provide guidance and counseling services to
26 students by:

27 (1) employing a part-time school counselor;

1 (2) employing a part-time teacher certified as a
2 school counselor under Subchapter B, Chapter 21; or

3 (3) entering into a shared services arrangement
4 agreement with one or more school districts to share a school
5 counselor.

6 (c-8) Subsection (c-7) and this subsection expire September
7 1, 2025.

8 SECTION 2. Subchapter F, Chapter 48, Education Code, is
9 amended by adding Section 48.2641 to read as follows:

10 Sec. 48.2641. ADDITIONAL STATE AID FOR CERTIFIED SCHOOL
11 COUNSELORS. (a) For each school year, from funds that may be used
12 for the purpose, a school district is entitled to state aid in an
13 amount, as determined by the commissioner, sufficient to assist the
14 district in employing the number of certified school counselors
15 required by Section 33.002.

16 (b) The commissioner shall adopt rules as necessary to
17 administer this section.

18 SECTION 3. This Act applies beginning with the 2023-2024
19 school year.

20 SECTION 4. This Act takes effect on the 91st day after the
21 last day of the legislative session.