

By: Oliveira

H.B. No. 807

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a school district policy concerning the use of school
3 counselors' work time.

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

5 SECTION 1. Section 33.006, Education Code, is amended by
6 adding Subsection (c) to read as follows:

7 (c) The board of trustees of each school district shall
8 adopt a policy that establishes the percentage of total work time a
9 counselor may spend on activities other than a counseling or
10 guidance activity and that defines the role of counselors in
11 connection with assessment instruments administered under Section
12 39.023. For purposes of this subsection, time spent in
13 administering assessment instruments or providing other assistance
14 in connection with assessment instruments, except time spent in
15 interpreting data from assessment instruments, is not considered
16 time spent in a counseling or guidance activity. Each school in the
17 district shall implement the policy. A copy of the policy shall be
18 maintained in the office of each school in the district and made
19 available on request during regular school hours to district
20 employees, parents of district students, and the public.

21 SECTION 2. Section 39.074, Education Code, is amended by
22 adding Subsection (g) to read as follows:

23 (g) Before an investigation, the commissioner shall request
24 that the district scheduled for the investigation assess the

1 district's compliance with the policy adopted under Section
2 33.006(c) and provide a written copy of the assessment to the
3 investigators on or before the date specified by the commissioner.
4 As part of each investigation, the investigators shall interview a
5 percentage of district counselors determined by the commissioner
6 to assess the district's compliance with the policy adopted under
7 Section 33.006(c).

8 SECTION 3. (a) Each school district shall implement a
9 policy adopted under Section 33.006(c), Education Code, as added by
10 this Act, beginning with the 2004-2005 school year.

11 (b) Section 39.074(g), Education Code, as added by this Act,
12 applies beginning with the 2004-2005 school year.

13 SECTION 4. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2003.