

1-1 By: Lucio S.B. No. 251
1-2 (In the Senate - Filed January 23, 2003; February 5, 2003,
1-3 read first time and referred to Committee on Education;
1-4 April 7, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 7, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 251 By: Ogden

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a school district policy concerning the use of school
1-11 counselors' work time.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 33.006, Education Code, is amended by
1-14 adding Subsection (c) to read as follows:

1-15 (c) In accordance with rules adopted by the commissioner,
1-16 the board of trustees of each school district shall adopt a policy
1-17 that establishes the percentage of total work time a counselor is
1-18 expected to spend on the components of a guidance and counseling
1-19 program as provided by Section 33.005. For purposes of this
1-20 subsection, time spent in administering assessment instruments or
1-21 providing other assistance in connection with assessment
1-22 instruments, except time spent in interpreting data from assessment
1-23 instruments, is not considered time spent in counseling or
1-24 guidance. Each school in the district shall implement the policy.
1-25 A copy of the policy shall be maintained in the office of each
1-26 school in the district and made available on request during regular
1-27 school hours to district employees, parents of district students,
1-28 and the public.

1-29 SECTION 2. Section 39.074, Education Code, is amended by
1-30 adding Subsection (g) to read as follows:

1-31 (g) Before an investigation, the commissioner shall request
1-32 that the district scheduled for the investigation assess the
1-33 district's compliance with the policy adopted under Section
1-34 33.006(c) and provide a written copy of the assessment to the
1-35 investigators on or before the date specified by the commissioner.
1-36 As part of each investigation, the investigators shall interview a
1-37 percentage of district counselors determined by the commissioner to
1-38 assess the district's compliance with the policy adopted under
1-39 Section 33.006(c). The commissioner shall adopt rules for carrying
1-40 out this subsection.

1-41 SECTION 3. (a) Each school district shall implement a
1-42 policy adopted under Subsection (c), Section 33.006, Education
1-43 Code, as added by this Act, beginning with the 2004-2005 school
1-44 year.

1-45 (b) Subsection (g), Section 39.074, Education Code, as
1-46 added by this Act, applies beginning with the 2004-2005 school
1-47 year.

1-48 SECTION 4. This Act takes effect immediately if it receives
1-49 a vote of two-thirds of all the members elected to each house, as
1-50 provided by Section 39, Article III, Texas Constitution. If this
1-51 Act does not receive the vote necessary for immediate effect, this
1-52 Act takes effect September 1, 2003.

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