

By: Oliveira

H.B. No. 2089

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) In accordance with rules adopted by the commissioner,
8 the board of trustees of each school district shall adopt a policy
9 to ensure that a counselor does not spend more than 10 percent of
10 the counselor's total work time performing duties not included in
11 the components of a counseling or guidance program developed under
12 Section 33.005. 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 on counseling or guidance. Each school in the district
17 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). The commissioner shall adopt rules to implement
8 this subsection.

9 SECTION 3. (a) Each school district shall implement a
10 policy adopted under Section 33.006(c), Education Code, as added by
11 this Act, beginning with the 2006-2007 school year.

12 (b) Section 39.074(g), Education Code, as added by this Act,
13 applies beginning with the 2006-2007 school year.

14 SECTION 4. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2005.