

By: Madden

H.B. No. 1149

A BILL TO BE ENTITLED

AN ACT

1
2 relating to policies concerning the use of school counselors' work
3 time in certain school districts.

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) This subsection applies only to a school district that
8 has a student enrollment of more than 1,000 at the beginning of a
9 school year. In accordance with rules adopted by the commissioner,
10 the board of trustees of each school district to which this section
11 applies shall adopt a policy that requires a counselor to spend not
12 more than 10 percent of the counselor's total work time on duties
13 that are not components of a counseling or guidance program
14 developed under Section 33.005. For purposes of this subsection,
15 time spent in administering assessment instruments or providing
16 other assistance in connection with assessment instruments, except
17 time spent in interpreting data from assessment instruments, is not
18 considered time spent on counseling or guidance. Each school in the
19 district shall implement the policy. A copy of the policy shall be
20 maintained in the office of each school in the district and made
21 available on request during regular school hours to district
22 employees, parents of district students, and the public.

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

1 (g) Before an investigation of a district to which Section
2 33.006(c) applies, the commissioner shall request that the district
3 assess the district's compliance with the policy adopted under
4 Section 33.006(c) and provide a written copy of the assessment to
5 the investigators on or before the date specified by the
6 commissioner. As part of each investigation, the investigators
7 shall interview a percentage of district counselors determined by
8 the commissioner to assess the district's compliance with the
9 policy adopted under Section 33.006(c). The commissioner shall
10 adopt rules to implement this subsection.

11 SECTION 3. (a) Each school district to which Section
12 33.006(c), Education Code, as added by this Act, applies shall
13 implement a policy that complies with that section beginning with
14 the 2007-2008 school year.

15 (b) Section 39.074(g), Education Code, as added by this Act,
16 applies beginning with the 2007-2008 school year.

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2007.