

By: Lucio III

H.B. No. 1334

A BILL TO BE ENTITLED

AN ACT

relating to the employment of certified counselors by school districts.

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

SECTION 1. Sections 33.002(b) and (c), Education Code, are amended to read as follows:

(b) A school district with 300 ~~[500]~~ or more students in enrollment ~~[enrolled in elementary school grades]~~ shall employ a counselor certified under the rules of the State Board for Educator Certification for each ~~[elementary]~~ school in the district. A school district shall employ at least one counselor for every 300 ~~[500 elementary school]~~ students in the district.

(c) A school district with fewer than 300 ~~[500]~~ students in enrollment ~~[enrolled in elementary school grades]~~ shall provide guidance and counseling services to ~~[elementary school]~~ students by:

(1) employing a part-time counselor certified under the rules of the State Board for Educator Certification;

(2) employing a part-time teacher certified as a counselor under the rules of the State Board for Educator Certification; or

(3) entering into a shared services arrangement agreement with one or more school districts to share a counselor certified under the rules of the State Board for Educator

1 Certification.

2 SECTION 2. Section 42.152(i), Education Code, is amended to
3 read as follows:

4 (i) From the total amount of funds appropriated for
5 allotments under this section, the commissioner shall, each fiscal
6 year, withhold \$7,500,000 or a greater amount as determined in the
7 General Appropriations Act and distribute that amount for programs
8 under Subchapter A, Chapter 33. Funds distributed under this
9 subsection are in addition to any other funds available for
10 programs under Subchapter A, Chapter 33, including funds provided
11 under Section 42.2519. [~~A program established under that subchapter~~
12 ~~is required only in school districts in which the program is~~
13 ~~financed by funds distributed under this section or other funds~~
14 ~~distributed by the commissioner for a program under that~~
15 ~~subchapter. In distributing those funds, preference shall be given~~
16 ~~to a school district that received funds for a program under this~~
17 ~~subsection for the preceding school year.]~~

18 SECTION 3. Subchapter E, Chapter 42, Education Code, is
19 amended by adding Section 42.2519 to read as follows:

20 Sec. 42.2519. ADDITIONAL STATE AID FOR CERTIFIED
21 COUNSELORS. (a) For each school year, from funds that may be used
22 for the purpose, a school district is entitled to state aid in an
23 amount, as determined by the commissioner, sufficient to assist the
24 district in employing the number of certified counselors required
25 by Section 33.002.

26 (b) The amount of state aid to which a school district is
27 entitled under this section is in addition to the amount of revenue

1 to which the district is entitled under Section 42.2516(b).

2 (c) The commissioner shall adopt rules as necessary to
3 administer this section.

4 SECTION 4. Section 33.002(a), Education Code, is repealed.

5 SECTION 5. This Act applies beginning with the 2009-2010
6 school year.

7 SECTION 6. This Act takes effect September 1, 2009.