

By: Lucio III

H.B. No. 285

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. Section 33.002, Education Code, is amended to read as follows:

Sec. 33.002. CERTIFIED COUNSELOR. (a) From funds appropriated for the purpose or other funds that may be used for the purpose, the commissioner shall distribute funds for programs under this subchapter. In distributing those funds, the commissioner shall give preference to ~~[a school district that received funds under this subsection for the preceding school year and then to]~~ the districts that have the highest concentration of students at risk of dropping out of school, as described by Section 29.081. To receive funds for the program, a school district must apply to the commissioner. For each school year that a school district receives funds under this subsection, the district shall allocate an amount of local funds for school guidance and counseling programs that is equal to or greater than the amount of local funds that the school district allocated for that purpose during the preceding school year. Funds distributed under this subsection are in addition to any other funds available for programs under this subchapter, including funds provided under Section 42.2519 ~~[This section applies only to a school district that receives funds as provided by~~

1 ~~this subsection].~~

2 (b) A school district with 300 ~~[500]~~ or more students in
3 enrollment ~~[enrolled in elementary school grades]~~ shall employ a
4 counselor certified under the rules of the State Board for Educator
5 Certification for each ~~[elementary]~~ school in the district. A
6 school district shall employ at least one counselor for every 300
7 ~~[500 elementary school]~~ students in the district.

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

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

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

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

21 SECTION 2. Subchapter E, Chapter 42, Education Code, is
22 amended by adding Section 42.2519 to read as follows:

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

1 by Section 33.002.

2 (b) The amount of state aid to which a school district is
3 entitled under this section is in addition to the amount of revenue
4 to which the district is entitled under Section 42.2516(b).

5 (c) The commissioner shall adopt rules as necessary to
6 administer this section.

7 SECTION 3. This Act applies beginning with the 2011-2012
8 school year.

9 SECTION 4. This Act takes effect September 1, 2011.