

BILL ANALYSIS

S.B. 401
By: Lucio
Public Education
Committee Report (Amended)

BACKGROUND AND PURPOSE

Interested parties note that school counselors play an essential role in ensuring student success both during and after school. With regard to that, S.B. 401 seeks to establish a notification requirement if a school counselor is not assigned to a public school campus.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

ANALYSIS

S.B. 401 amends the Education Code to require notice of the absence of a full-time certified school counselor, if a public school, including an open-enrollment charter school, does not have such a counselor assigned to the campus for more than 30 consecutive instructional days during the same school year, to be posted on the Internet website of the school district and the school, if the school maintains an Internet website. The bill requires the district and the school to post the notice not later than the 30th instructional day after the first day the school does not have a full-time school counselor assigned to the campus. The bill requires the district and the school to retain a copy of any notice provided and to make a good faith effort to ensure that the notice is provided in a bilingual form.

S.B. 401 authorizes the commissioner of education to adopt necessary rules regarding the notice. The bill's provisions apply beginning with the 2013-2014 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1

Committee Amendment No. 1 changes the condition under which a public school is required to post the notice to apply to the school not having a certified counselor available to the campus, rather than a full-time certified counselor assigned to the campus. The amendment changes the condition that determines the deadline by which the notice is to be posted to apply to the first day the school does not have such a counselor available to the campus, rather than the first day the school does not have a full-time counselor assigned to the campus.