

BILL ANALYSIS

Senate Research Center
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S.B. 401
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

School counselors play an essential role in ensuring students' success throughout K-12 education and beyond. S.B. 401 requires that if a public school or open-enrollment charter school does not have a full-time school counselor assigned to the campus for more than 30 instructional days during the school year, notice of the absence of a counselor be posted on the website of the school district and the school, provided the school maintains a website. The notice must also be provided in bilingual form.

Under the bill, the district and school must post this 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 commissioner of education may adopt necessary rules regarding the notice.

As proposed, S.B. 401 amends current law relating to a notification requirement if a counselor is not assigned to a public school campus.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 33.008, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 33, Education Code, by adding Section 33.008, as follows:

Sec. 33.008. PARENTAL NOTIFICATION CONCERNING SCHOOL COUNSELORS. (a) Requires that notice of the absence of a counselor be posted on the Internet website of the school district and the school, if the school maintains an Internet website, if a public school, including an open-enrollment charter school, does not have a full-time school counselor certified under Subchapter B (Certification of Educators), Chapter 21 (Educators), assigned to the campus for more than 30 consecutive instructional days during the same school year.

(b) Requires the district and the school to post the notice required by Subsection (a) 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.

(c) Requires the district and the school to make a good faith effort to ensure that the notice required by this section is provided in a bilingual form and to retain a copy of any notice provided under this section.

(d) Authorizes the commissioner of education to adopt necessary rules regarding the notice required by this section.

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.