

By: Farney

H.B. No. 3809

A BILL TO BE ENTITLED

AN ACT

relating to use of consistent terminology to refer to school counselors in the Education Code.

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

SECTION 1. Section 7.055(b)(18), Education Code, is amended to read as follows:

(18) The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers, a recommended appraisal process and criteria on which to appraise the performance of administrators, and a job description and evaluation form for use in evaluating school counselors, as provided by Subchapter H, Chapter 21.

SECTION 2. Section 11.252(a), Education Code, is amended to read as follows:

(a) Each school district shall have a district improvement plan that is developed, evaluated, and revised annually, in accordance with district policy, by the superintendent with the assistance of the district-level committee established under Section 11.251. The purpose of the district improvement plan is to guide district and campus staff in the improvement of student performance for all student groups in order to attain state standards in respect to the student achievement indicators adopted under Section 39.053. The district improvement plan must include provisions for:

1 (1) a comprehensive needs assessment addressing
2 district student performance on the student achievement
3 indicators, and other appropriate measures of performance, that are
4 disaggregated by all student groups served by the district,
5 including categories of ethnicity, socioeconomic status, sex, and
6 populations served by special programs, including students in
7 special education programs under Subchapter A, Chapter 29;

8 (2) measurable district performance objectives for
9 all appropriate student achievement indicators for all student
10 populations, including students in special education programs
11 under Subchapter A, Chapter 29, and other measures of student
12 performance that may be identified through the comprehensive needs
13 assessment;

14 (3) strategies for improvement of student performance
15 that include:

16 (A) instructional methods for addressing the
17 needs of student groups not achieving their full potential;

18 (B) methods for addressing the needs of students
19 for special programs, including:

20 (i) suicide prevention programs, in
21 accordance with Subchapter O-1, Chapter 161, Health and Safety
22 Code, which includes a parental or guardian notification procedure;

23 (ii) conflict resolution programs;

24 (iii) violence prevention programs; and

25 (iv) dyslexia treatment programs;

26 (C) dropout reduction;

27 (D) integration of technology in instructional

1 and administrative programs;

2 (E) discipline management;

3 (F) staff development for professional staff of
4 the district;

5 (G) career education to assist students in
6 developing the knowledge, skills, and competencies necessary for a
7 broad range of career opportunities; and

8 (H) accelerated education;

9 (4) strategies for providing to middle school, junior
10 high school, and high school students, those students' teachers and
11 school counselors, and those students' parents information about:

12 (A) higher education admissions and financial
13 aid opportunities;

14 (B) the TEXAS grant program and the Teach for
15 Texas grant program established under Chapter 56;

16 (C) the need for students to make informed
17 curriculum choices to be prepared for success beyond high school;
18 and

19 (D) sources of information on higher education
20 admissions and financial aid;

21 (5) resources needed to implement identified
22 strategies;

23 (6) staff responsible for ensuring the accomplishment
24 of each strategy;

25 (7) timelines for ongoing monitoring of the
26 implementation of each improvement strategy;

27 (8) formative evaluation criteria for determining

1 periodically whether strategies are resulting in intended
2 improvement of student performance; and

3 (9) the policy under Section 38.0041 addressing sexual
4 abuse and other maltreatment of children.

5 SECTION 3. Section 12.1059, Education Code, is amended to
6 read as follows:

7 Sec. 12.1059. AGENCY APPROVAL REQUIRED FOR CERTAIN
8 EMPLOYEES. A person may not be employed by or serve as a teacher,
9 librarian, educational aide, administrator, or school counselor
10 for an open-enrollment charter school unless the person has been
11 approved by the agency following a review of the person's national
12 criminal history record information as provided by Section 22.0832.

13 SECTION 4. Sections 12.133(b), (c), (d), and (e), Education
14 Code, are amended to read as follows:

15 (b) Each school year, using state funds received by the
16 charter holder for that purpose under Subsection (d), a charter
17 holder that participated in the program under Chapter 1579,
18 Insurance Code, for the 2005-2006 school year shall provide
19 employees of the charter holder, other than administrators,
20 compensation in the form of annual salaries, incentives, or other
21 compensation determined appropriate by the charter holder that
22 results in an average compensation increase for classroom teachers,
23 full-time librarians, full-time school counselors, and full-time
24 school nurses who are employed by the charter holder and who would
25 be entitled to a minimum salary under Section 21.402 if employed by
26 a school district, in an amount at least equal to \$2,500.

27 (c) Each school year, using state funds received by the

1 charter holder for that purpose under Subsection (e), a charter
2 holder that did not participate in the program under Chapter 1579,
3 Insurance Code, for the 2005-2006 school year shall provide
4 employees of the charter holder, other than administrators,
5 compensation in the form of annual salaries, incentives, or other
6 compensation determined appropriate by the charter holder that
7 results in an average compensation increase for classroom teachers,
8 full-time librarians, full-time school counselors, and full-time
9 school nurses who are employed by the charter holder and who would
10 be entitled to a minimum salary under Section 21.402 if employed by
11 a school district, in an amount at least equal to \$2,000.

12 (d) Each school year, in addition to any amounts to which a
13 charter holder is entitled under this chapter, a charter holder
14 that participated in the program under Chapter 1579, Insurance
15 Code, for the 2005-2006 school year is entitled to state aid in an
16 amount, as determined by the commissioner, equal to the product of
17 \$2,500 multiplied by the number of classroom teachers, full-time
18 librarians, full-time school counselors, and full-time school
19 nurses employed by the charter holder at an open-enrollment charter
20 school.

21 (e) Each school year, in addition to any amounts to which a
22 charter holder is entitled under this chapter, a charter holder
23 that did not participate in the program under Chapter 1579,
24 Insurance Code, for the 2005-2006 school year is entitled to state
25 aid in an amount, as determined by the commissioner, equal to the
26 product of \$2,000 multiplied by the number of classroom teachers,
27 full-time librarians, full-time school counselors, and full-time

1 school nurses employed by the charter holder at an open-enrollment
2 charter school.

3 SECTION 5. Section 19.007(f), Education Code, is amended to
4 read as follows:

5 (f) In addition to other amounts received by the district
6 under this section, the district is entitled to state aid in an
7 amount equal to the product of \$2,000 multiplied by the number of
8 classroom teachers, full-time librarians, full-time school
9 counselors certified under Subchapter B, Chapter 21, and full-time
10 school nurses who are employed by the district and who would be
11 entitled to a minimum salary under Section 21.402 if employed by a
12 school district operating under Chapter 11.

13 SECTION 6. Sections 19.009(d-1) and (d-2), Education Code,
14 are amended to read as follows:

15 (d-1) Each school year, the district shall pay an amount at
16 least equal to \$2,000 to each classroom teacher, full-time
17 librarian, full-time school counselor certified under Subchapter
18 B, Chapter 21, and full-time school nurse who is employed by the
19 district and who would be entitled to a minimum salary under Section
20 21.402 if employed by a school district operating under Chapter
21 11. A payment under this section is in addition to wages the
22 district would otherwise pay the employee during the school year.

23 (d-2) Beginning with the 2009-2010 school year, the
24 district shall increase the monthly salary of each classroom
25 teacher, full-time speech pathologist, full-time librarian,
26 full-time school counselor certified under Subchapter B, Chapter
27 21, and full-time school nurse employed by the district by the

1 greater of:

2 (1) \$80; or

3 (2) the maximum uniform amount that, when combined
4 with any resulting increases in the amount of contributions made by
5 the district for social security coverage for the specified
6 employees or by the district on behalf of the specified employees
7 under Section 825.405, Government Code, may be provided using an
8 amount equal to the product of \$60 multiplied by the number of
9 students in weighted average daily attendance in the district
10 during the 2009-2010 school year.

11 SECTION 7. Section 21.002(a), Education Code, is amended to
12 read as follows:

13 (a) A school district shall employ each classroom teacher,
14 principal, librarian, nurse, or school counselor under:

15 (1) a probationary contract, as provided by Subchapter
16 C;

17 (2) a continuing contract, as provided by Subchapter
18 D; or

19 (3) a term contract, as provided by Subchapter E.

20 SECTION 8. Section 21.003(a), Education Code, is amended to
21 read as follows:

22 (a) A person may not be employed as a teacher, teacher
23 intern or teacher trainee, librarian, educational aide,
24 administrator, educational diagnostician, or school counselor by a
25 school district unless the person holds an appropriate certificate
26 or permit issued as provided by Subchapter B.

27 SECTION 9. Section 21.101, Education Code, is amended to

1 where:

2 "MS" is the minimum monthly salary;

3 "SF" is the applicable salary factor specified by Subsection
4 (c); and

5 "FS" is the amount, as determined by the commissioner under
6 Subsection (b), of the basic allotment as provided by Section
7 42.101(a) or (b) for a school district with a maintenance and
8 operations tax rate at least equal to the state maximum compressed
9 tax rate, as defined by Section 42.101(a).

10 SECTION 12. Section 21.402(a), Education Code, as effective
11 September 1, 2017, is amended to read as follows:

12 (a) Except as provided by Subsection (e-1) or (f), a school
13 district must pay each classroom teacher, full-time librarian,
14 full-time school counselor certified under Subchapter B, or
15 full-time school nurse not less than the minimum monthly salary,
16 based on the employee's level of experience in addition to other
17 factors, as determined by commissioner rule, determined by the
18 following formula:

19
$$MS = SF \times FS$$

20 where:

21 "MS" is the minimum monthly salary;

22 "SF" is the applicable salary factor specified by Subsection
23 (c); and

24 "FS" is the amount, as determined by the commissioner under
25 Subsection (b), of the basic allotment as provided by Section
26 42.101(a) or (b) for a school district with a maintenance and
27 operations tax rate at least equal to the state maximum compressed

1 tax rate, as defined by Section 42.101(a).

2 SECTION 13. Section 21.402(c-1), Education Code, is amended
3 to read as follows:

4 (c-1) Notwithstanding Subsections (a) and (b), each school
5 district shall pay a monthly salary to each classroom teacher,
6 full-time speech pathologist, full-time librarian, full-time
7 school counselor certified under Subchapter B, and full-time school
8 nurse that is at least equal to the following monthly salary or the
9 monthly salary determined by the commissioner under Subsections (a)
10 and (b), whichever is greater:

11	Years of	Monthly
12	Experience	Salary
13	0	2,732
14	1	2,791
15	2	2,849
16	3	2,908
17	4	3,032
18	5	3,156
19	6	3,280
20	7	3,395
21	8	3,504
22	9	3,607
23	10	3,704
24	11	3,796
25	12	3,884
26	13	3,965
27	14	4,043

1	15	4,116
2	16	4,186
3	17	4,251
4	18	4,313
5	19	4,372
6	20 & Over	4,427

7 SECTION 14. Sections 21.403(a) and (c), Education Code, are
8 amended to read as follows:

9 (a) A teacher, librarian, school counselor, or nurse shall
10 advance one step on the minimum salary schedule under Section
11 21.402 for each year of experience as a teacher, librarian, school
12 counselor, or nurse until step 20 is reached.

13 (c) The commissioner shall adopt rules for determining the
14 experience for which a teacher, librarian, school counselor, or
15 nurse is to be given credit in placing the teacher, librarian,
16 school counselor, or nurse on the minimum salary schedule. A
17 district shall credit the teacher, librarian, school counselor, or
18 nurse for each year of experience without regard to whether the
19 years are consecutive.

20 SECTION 15. Section 21.4031(a)(2), Education Code, is
21 amended to read as follows:

22 (2) "Service record" means a school district
23 document that indicates the total years of service provided to the
24 district by a classroom teacher, librarian, school counselor, or
25 nurse.

26 SECTION 16. Section 21.4031(b), Education Code, is amended
27 to read as follows:

1 (b) On request by a classroom teacher, librarian, school
2 counselor, or nurse or by the school district employing one of those
3 individuals, a school district that previously employed the
4 individual shall provide a copy of the individual's service record
5 to the school district employing the individual. The district must
6 provide the copy not later than the 30th day after the later of:

7 (1) the date the request is made; or

8 (2) the date of the last day of the individual's
9 service to the district.

10 SECTION 17. Section 22.051(a), Education Code, is amended
11 to read as follows:

12 (a) In this subchapter, "professional employee of a school
13 district" includes:

14 (1) a superintendent, principal, teacher, including a
15 substitute teacher, supervisor, social worker, school counselor,
16 nurse, and teacher's aide employed by a school district;

17 (2) a teacher employed by a company that contracts
18 with a school district to provide the teacher's services to the
19 district;

20 (3) a student in an education preparation program
21 participating in a field experience or internship;

22 (4) a school bus driver certified in accordance with
23 standards and qualifications adopted by the Department of Public
24 Safety of the State of Texas;

25 (5) a member of the board of trustees of an independent
26 school district; and

27 (6) any other person employed by a school district

1 whose employment requires certification and the exercise of
2 discretion.

3 SECTION 18. Section 26.004, Education Code, is amended to
4 read as follows:

5 Sec. 26.004. ACCESS TO STUDENT RECORDS. A parent is
6 entitled to access to all written records of a school district
7 concerning the parent's child, including:

- 8 (1) attendance records;
- 9 (2) test scores;
- 10 (3) grades;
- 11 (4) disciplinary records;
- 12 (5) counseling records;
- 13 (6) psychological records;
- 14 (7) applications for admission;
- 15 (8) health and immunization information;
- 16 (9) teacher and school counselor evaluations; and
- 17 (10) reports of behavioral patterns.

18 SECTION 19. Section 28.0212(a), Education Code, is amended
19 to read as follows:

20 (a) A principal shall designate a school [~~guidance~~]
21 counselor, teacher, or other appropriate individual to develop and
22 administer a personal graduation plan for each student enrolled in
23 a junior high, middle, or high school who:

24 (1) does not perform satisfactorily on an assessment
25 instrument administered under Subchapter B, Chapter 39; or

26 (2) is not likely to receive a high school diploma
27 before the fifth school year following the student's enrollment in

1 grade level nine, as determined by the district.

2 SECTION 20. Section 28.026(a), Education Code, is amended
3 to read as follows:

4 (a) The board of trustees of a school district shall require
5 each high school in the district to post appropriate signs in each
6 school counselor's office, in each principal's office, and in each
7 administrative building indicating the substance of Section 51.803
8 regarding automatic college admission. To assist in the
9 dissemination of this information, the school district shall:

10 (1) require that each [~~high~~] school counselor and
11 class advisor at a high school be provided a detailed explanation of
12 the substance of Section 51.803;

13 (2) provide each district student, at the time the
14 student first registers for one or more classes required for high
15 school graduation, with a written notification of the substance of
16 Section 51.803;

17 (3) require that each [~~high~~] school counselor and
18 senior class advisor at a high school explain to eligible students
19 the substance of Section 51.803; and

20 (4) not later than the 14th day after the last day of
21 classes for the fall semester or an equivalent date in the case of a
22 school operated on a year-round system under Section 25.084,
23 provide each eligible senior student under Section 51.803 and each
24 student enrolled in the junior year of high school who has a grade
25 point average in the top 10 percent of the student's high school
26 class, and the student's parent or guardian, with a written
27 notification of the student's eligibility with a detailed

1 explanation in plain language of the substance of Section 51.803.

2 SECTION 21. Section 28.054(b), Education Code, is amended
3 to read as follows:

4 (b) To obtain a subsidy under this section, a student must:

5 (1) pay the fee for each test or examination for which
6 the student seeks a subsidy; and

7 (2) submit to the board through the student's school
8 [~~guidance~~] counselor a written application on a form prescribed by
9 the commissioner demonstrating financial need and the amount of the
10 fee paid by the student for each test or examination.

11 SECTION 22. Section 29.082(e), Education Code, is amended
12 to read as follows:

13 (e) A student who attends at least 90 percent of the program
14 days of a program under this section and who satisfies the
15 requirements for promotion prescribed by Section 28.021 shall be
16 promoted to the next grade level at the beginning of the next school
17 year unless a parent of the student presents a written request to
18 the school principal that the student not be promoted to the next
19 grade level. As soon as practicable after receiving the request
20 from a parent, the principal shall hold a formal meeting with the
21 student's parent, extended year program teacher, and school
22 counselor. During the meeting, the principal, teacher, or school
23 counselor shall explain the longitudinal statistics on the academic
24 performance of students who are not promoted to the next grade level
25 and provide information on the effect of retention on a student's
26 self-esteem and on the likelihood of a student dropping out of
27 school. After the meeting, the parent may withdraw the request that

1 the student not be promoted to the next grade level. If the parent
2 of a student eligible for promotion under this subsection withdraws
3 the request, the student shall be promoted. If a student is
4 promoted under this subsection, the school district shall continue
5 to use innovative practices to ensure that the student is
6 successful in school in succeeding years.

7 SECTION 23. Section 29.911(b), Education Code, is amended
8 to read as follows:

9 (b) During the designated week, each middle school, junior
10 high school, and high school shall provide students with
11 comprehensive grade-appropriate information regarding the pursuit
12 of higher education. The information provided must include
13 information regarding:

14 (1) higher education options available to students;
15 (2) standard admission requirements for institutions
16 of higher education, including:

17 (A) overall high school grade point average;
18 (B) required curriculum;
19 (C) college readiness standards and expectations
20 as determined under Section 28.008; and

21 (D) scores necessary on generally recognized
22 tests or assessment instruments used in admissions determinations,
23 including the Scholastic Assessment Test and the American College
24 Test;

25 (3) automatic admission of certain students to general
26 academic teaching institutions as provided by Section 51.803; and

27 (4) financial aid availability and requirements,

1 including the financial aid information provided by school
2 counselors under Section 33.007(b).

3 SECTION 24. Section 30.024(a), Education Code, is amended
4 to read as follows:

5 (a) In this section, "teacher" means a principal,
6 supervisor, classroom teacher, school counselor, or other
7 full-time professional employee who is required to hold a
8 certificate issued under Subchapter B, Chapter 21, except the term
9 does not include a superintendent or any employee who does not
10 provide direct and regular services to students at the school.

11 SECTION 25. Section 30.055(a), Education Code, is amended
12 to read as follows:

13 (a) In this section, "teacher" means a principal,
14 supervisor, classroom teacher, school counselor, or other
15 full-time professional employee who is required to hold a
16 certificate issued under Subchapter B, Chapter 21, except the term
17 does not include a superintendent.

18 SECTION 26. Section 30.102(b), Education Code, is amended
19 to read as follows:

20 (b) A classroom teacher, full-time librarian, full-time
21 school counselor certified under Subchapter B, Chapter 21, or
22 full-time school nurse employed by the commission is entitled to
23 receive as a minimum salary the monthly salary specified by Section
24 21.402. A classroom teacher, full-time librarian, full-time school
25 counselor, or full-time school nurse may be paid, from funds
26 appropriated to the commission, a salary in excess of the minimum
27 specified by that section, but the salary may not exceed the rate of

1 pay for a similar position in the public schools of an adjacent
2 school district.

3 SECTION 27. The heading to Section 33.002, Education Code,
4 is amended to read as follows:

5 Sec. 33.002. CERTIFIED SCHOOL COUNSELOR.

6 SECTION 28. Sections 33.002(b) and (c), Education Code, are
7 amended to read as follows:

8 (b) A school district with 500 or more students enrolled in
9 elementary school grades shall employ a school counselor certified
10 under the rules of the State Board for Educator Certification for
11 each elementary school in the district. A school district shall
12 employ at least one school counselor for every 500 elementary
13 school students in the district.

14 (c) A school district with fewer than 500 students enrolled
15 in elementary school grades shall provide guidance and counseling
16 services to elementary school students by:

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

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

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

26 SECTION 29. Section 33.005, Education Code, is amended to
27 read as follows:

1 Sec. 33.005. DEVELOPMENTAL GUIDANCE AND COUNSELING
2 PROGRAMS. A school counselor shall work with the school faculty and
3 staff, students, parents, and the community to plan, implement, and
4 evaluate a developmental guidance and counseling program. The
5 school counselor shall design the program to include:

6 (1) a guidance curriculum to help students develop
7 their full educational potential, including the student's
8 interests and career objectives;

9 (2) a responsive services component to intervene on
10 behalf of any student whose immediate personal concerns or problems
11 put the student's continued educational, career, personal, or
12 social development at risk;

13 (3) an individual planning system to guide a student
14 as the student plans, monitors, and manages the student's own
15 educational, career, personal, and social development; and

16 (4) system support to support the efforts of teachers,
17 staff, parents, and other members of the community in promoting the
18 educational, career, personal, and social development of students.

19 SECTION 30. The heading to Section 33.006, Education Code,
20 is amended to read as follows:

21 Sec. 33.006. SCHOOL COUNSELORS; GENERAL DUTIES.

22 SECTION 31. Section 33.006(b), Education Code, is amended
23 to read as follows:

24 (b) In addition to a school counselor's responsibility
25 under Subsection (a), the school counselor shall:

26 (1) participate in planning, implementing, and
27 evaluating a comprehensive developmental guidance program to serve

1 all students and to address the special needs of students:

2 (A) who are at risk of dropping out of school,
3 becoming substance abusers, participating in gang activity, or
4 committing suicide;

5 (B) who are in need of modified instructional
6 strategies; or

7 (C) who are gifted and talented, with emphasis on
8 identifying and serving gifted and talented students who are
9 educationally disadvantaged;

10 (2) consult with a student's parent or guardian and
11 make referrals as appropriate in consultation with the student's
12 parent or guardian;

13 (3) consult with school staff, parents, and other
14 community members to help them increase the effectiveness of
15 student education and promote student success;

16 (4) coordinate people and resources in the school,
17 home, and community;

18 (5) with the assistance of school staff, interpret
19 standardized test results and other assessment data that help a
20 student make educational and career plans; and

21 (6) deliver classroom guidance activities or serve as
22 a consultant to teachers conducting lessons based on the school's
23 guidance curriculum.

24 SECTION 32. Sections 33.007(a) and (b), Education Code, are
25 amended to read as follows:

26 (a) Each school counselor at an elementary, middle, or
27 junior high school, including an open-enrollment charter school

1 offering those grades, shall advise students and their parents or
2 guardians regarding the importance of higher education, coursework
3 designed to prepare students for higher education, and financial
4 aid availability and requirements.

5 (b) During the first school year a student is enrolled in a
6 high school or at the high school level in an open-enrollment
7 charter school, and again during a student's senior year, a school
8 counselor shall provide information about higher education to the
9 student and the student's parent or guardian. The information must
10 include information regarding:

11 (1) the importance of higher education;

12 (2) the advantages of completing the recommended or
13 advanced high school program adopted under Section 28.025(a);

14 (3) the disadvantages of taking courses to prepare for
15 a high school equivalency examination relative to the benefits of
16 taking courses leading to a high school diploma;

17 (4) financial aid eligibility;

18 (5) instruction on how to apply for federal financial
19 aid;

20 (6) the center for financial aid information
21 established under Section 61.0776;

22 (7) the automatic admission of certain students to
23 general academic teaching institutions as provided by Section
24 51.803;

25 (8) the eligibility and academic performance
26 requirements for the TEXAS Grant as provided by Subchapter M,
27 Chapter 56; and

1 (9) the availability of programs in the district under
2 which a student may earn college credit, including advanced
3 placement programs, dual credit programs, joint high school and
4 college credit programs, and international baccalaureate programs.

5 SECTION 33. Section 37.306(a), Education Code, is amended
6 to read as follows:

7 (a) At the end of the first semester of a student's
8 placement in an alternative education program under Section 37.304
9 or 37.305, the school district board of trustees shall convene a
10 committee to review the student's placement in the alternative
11 education program. The committee must be composed of:

12 (1) a classroom teacher from the campus to which the
13 student would be assigned were the student not placed in an
14 alternative education program;

15 (2) the student's parole or probation officer or, in
16 the case of a student who does not have a parole or probation
17 officer, a representative of the local juvenile probation
18 department;

19 (3) an instructor from the alternative education
20 program to which the student is assigned;

21 (4) a school district designee selected by the board
22 of trustees; and

23 (5) a school counselor employed by the school
24 district.

25 SECTION 34. Section 38.0041(c), Education Code, is amended
26 to read as follows:

27 (c) The methods under Subsection (b)(1) for increasing

1 awareness of issues regarding sexual abuse and other maltreatment
2 of children must include training, as provided by this subsection,
3 concerning prevention techniques for and recognition of sexual
4 abuse and all other maltreatment of children. The training:

5 (1) must be provided, as part of a new employee
6 orientation, to new school district and open-enrollment charter
7 school educators, including school counselors and coaches, and
8 other district and charter school professional staff members;

9 (2) may be provided annually to any district or
10 charter school staff member; and

11 (3) must include training concerning:

12 (A) factors indicating a child is at risk for
13 sexual abuse or other maltreatment;

14 (B) likely warning signs indicating a child may
15 be a victim of sexual abuse or other maltreatment;

16 (C) internal procedures for seeking assistance
17 for a child who is at risk for sexual abuse or other maltreatment,
18 including referral to a school counselor, a social worker, or
19 another mental health professional;

20 (D) techniques for reducing a child's risk of
21 sexual abuse or other maltreatment; and

22 (E) community organizations that have relevant
23 existing research-based programs that are able to provide training
24 or other education for school district or open-enrollment charter
25 school staff members, students, and parents.

26 SECTION 35. Section 51.9355(a), Education Code, is amended
27 to read as follows:

1 (a) The governing board of each general academic teaching
2 institution shall establish an office at the institution to assist
3 applicants, potential applicants, ~~[high] school [guidance]~~
4 counselors at the high school level, and other interested persons
5 requesting assistance relating to:

6 (1) applying for admission to a bachelor's degree
7 program at the institution;

8 (2) applying for financial aid offered by or through
9 the institution or by an office or agency of this state or the
10 United States for attendance as an undergraduate student at the
11 institution;

12 (3) registering for an examination to be taken in
13 connection with admission to a bachelor's degree program at the
14 institution; or

15 (4) registering for an examination that may be taken
16 to receive undergraduate course credit at the institution or to
17 determine the skill or placement level of an applicant to or student
18 enrolled in a bachelor's degree program at the institution.

19 SECTION 36. Section 56.308(b), Education Code, is amended
20 to read as follows:

21 (b) Each school district shall:

22 (1) notify its middle school students, junior high
23 school students, and high school students, those students' teachers
24 and school counselors, and those students' parents of the TEXAS
25 grant and Teach for Texas grant programs, the eligibility
26 requirements of each program, the need for students to make
27 informed curriculum choices to be prepared for success beyond high

1 school, and sources of information on higher education admissions
2 and financial aid in a manner that assists the district in
3 implementing a strategy adopted by the district under Section
4 11.252(a)(4); and

5 (2) ensure that each student's official transcript or
6 diploma indicates whether the student has completed or is on
7 schedule to complete:

8 (A) the recommended or advanced high school
9 curriculum required for grant eligibility under Section 28.002 or
10 28.025; or

11 (B) for a school district covered by Section
12 56.304(f)(1), the required portion of the recommended or advanced
13 high school curriculum in the manner described by Section
14 56.304(f)(2).

15 SECTION 37. Section 56.460(b), Education Code, is amended
16 to read as follows:

17 (b) Each school district shall notify its middle school
18 students, junior high school students, and high school students,
19 those students' teachers and school counselors, and those students'
20 parents or guardians of the Texas B-On-time loan program and the
21 eligibility requirements of the program.

22 SECTION 38. Sections 61.806(c) and (d), Education Code, are
23 amended to read as follows:

24 (c) An eligible entity must make application to the board to
25 receive financial assistance under this subchapter. An application
26 must demonstrate that the program contains the following elements:

27 (1) involvement of public school officials, teachers,

1 and school counselors in identifying and selecting students in
2 elementary school for participation in the partnership program
3 during the elementary and secondary school grades;

4 (2) criteria for the selection of program participants
5 that include consideration of:

6 (A) whether the student has a high risk of
7 dropping out of school as measured by academic performance,
8 attendance, discipline problems, and other factors affecting
9 school performance, including teenage pregnancy or parenting,
10 substance abuse, child abuse or neglect, or limited English
11 proficiency; and

12 (B) whether the student is a low-income student
13 as defined by board rule;

14 (3) academic and counseling support services for
15 program participants;

16 (4) involvement of parents and community volunteers to
17 the extent possible; and

18 (5) an evaluation component that includes follow-up
19 relating to the academic performance of program participants during
20 secondary school and the program participants' plans concerning
21 college attendance.

22 (d) If financial assistance is awarded to an eligible entity
23 that is not a school district, the application must include a
24 description of the frequency and manner of involvement of the
25 public schools and school personnel, especially teachers and school
26 counselors, with the partnership program.

27 SECTION 39. Section 61.855(d), Education Code, is amended

1 to read as follows:

2 (d) A tech-prep program must:

3 (1) be implemented under an articulation agreement
4 between the participants in the consortium;

5 (2) consist of two to four years of secondary school
6 preceding graduation and:

7 (A) two or more years of higher education; or

8 (B) two or more years of apprenticeship following
9 secondary instruction;

10 (3) have a common core of required proficiency based
11 on the recommended high school program adopted by the State Board of
12 Education under Section 28.025(a), with proficiencies in
13 mathematics, science, reading, writing, communications, and
14 technologies designed to lead to an associate's degree or
15 postsecondary certificate in a specific career field;

16 (4) include the development of tech-prep program
17 curricula for both secondary and postsecondary participants in the
18 consortium that:

19 (A) meets academic standards developed by the
20 state;

21 (B) links secondary schools and two-year
22 postsecondary institutions, and, if practicable, four-year
23 institutions of higher education through nonduplicative sequences
24 of courses in career fields, including the investigation of
25 opportunities for tech-prep students to enroll concurrently in
26 secondary and postsecondary course work;

27 (C) uses, if appropriate and available,

1 work-based or worksite learning in conjunction with business and
2 all aspects of an industry; and

3 (D) uses educational technology and distance
4 learning, as appropriate, to involve each consortium participant
5 more fully in the development and operation of programs;

6 (5) include in-service training for teachers that:

7 (A) is designed to train vocational and technical
8 teachers to effectively implement tech-prep programs;

9 (B) provides for joint training for teachers in
10 the tech-prep consortium;

11 (C) is designed to ensure that teachers and
12 administrators stay current with the needs, expectations, and
13 methods of business and of all aspects of an industry;

14 (D) focuses on training postsecondary education
15 faculty in the use of contextual and applied curricula and
16 instruction; and

17 (E) provides training in the use and application
18 of technology;

19 (6) include training programs for school counselors
20 designed to enable school counselors to more effectively:

21 (A) provide information to students regarding
22 tech-prep programs;

23 (B) support student progress in completing
24 tech-prep programs;

25 (C) provide information on related employment
26 opportunities;

27 (D) ensure that tech-prep students are placed in

1 appropriate employment; and

2 (E) stay current with the needs, expectations,
3 and methods of business and of all aspects of an industry;

4 (7) provide equal access to the full range of
5 tech-prep programs for individuals who are members of special
6 populations, including by the development of tech-prep program
7 services appropriate to the needs of special populations; and

8 (8) provide for preparatory services that assist
9 participants in tech-prep programs.

10 SECTION 40. This Act takes effect immediately if it
11 receives a vote of two-thirds of all the members elected to each
12 house, as provided by Section 39, Article III, Texas Constitution.
13 If this Act does not receive the vote necessary for immediate
14 effect, this Act takes effect September 1, 2013.