

By: González

H.B. No. 357

A BILL TO BE ENTITLED

AN ACT

relating to the responsibilities of public school counselors.

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

SECTION 1. Section 33.006, Education Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) The primary responsibility of a school counselor is to counsel students to fully develop each student's academic, career, personal, and social abilities. A school district shall provide sufficient training to a school counselor to enable the counselor to meet the counselor's responsibilities under this section.

(c) In accordance with rules adopted by the commissioner, the board of trustees of each school district shall adopt a policy that requires a school counselor to spend not more than 20 percent of the school counselor's total work time on duties that are not components of a counseling or guidance program developed under Section 33.005. For purposes of this subsection, time spent in administering assessment instruments or providing other assistance in connection with assessment instruments, except time spent in interpreting data from assessment instruments, is not considered time spent on counseling or guidance. Each school in the district shall implement the policy. A copy of the policy shall be maintained in the office of each school in the district and made available on request during regular school hours to district

1 employees, parents of district students, and the public.

2 (d) A school district may not include a provision in an
3 employment contract with a school counselor under Chapter 21 that
4 conflicts with the policy required by Subsection (c) or has the
5 effect of authorizing a school principal or school district
6 superintendent to require a school counselor to generally perform
7 duties that are not primarily related to a counseling or guidance
8 function.

9 SECTION 2. Section 39.056, Education Code, is amended by
10 adding Subsection (d-1) to read as follows:

11 (d-1) Before an investigation, the commissioner shall
12 request that the school district scheduled for the investigation
13 assess the district's compliance with the policy adopted under
14 Section 33.006(c) and provide a written copy of the assessment to
15 the investigators on or before the date specified by the
16 commissioner. As part of each investigation, the investigators
17 shall interview a percentage of district school counselors
18 determined by the commissioner to assess the district's compliance
19 with the policy adopted under Section 33.006(c). The commissioner
20 shall adopt rules to implement this subsection.

21 SECTION 3. (a) Each school district shall implement a
22 policy adopted under Section 33.006(c), Education Code, as added by
23 this Act, beginning with the 2015-2016 school year.

24 (b) Section 33.006(d), Education Code, as added by this Act,
25 applies only to a contract executed on or after the effective date
26 of this Act. A contract executed before the effective date of this
27 Act is governed by the law in effect on the date the contract was

1 executed, and the former law is continued in effect for that
2 purpose.

3 (c) Section 39.056(d-1), Education Code, as added by this
4 Act, applies beginning with the 2015-2016 school year.

5 SECTION 4. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2015.