86R19465 SOS-D

By:  Wu, Talarico H.B. No. 2074

Substitute the following for H.B. No. 2074:

By:  Allen C.S.H.B. No. 2074

A BILL TO BE ENTITLED

AN ACT

relating to the duties of a public school counselor regarding student discipline.

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

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

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

(1)  participate in planning, implementing, and evaluating a comprehensive developmental guidance program to serve all students and to address the special needs of students:

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

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

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

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

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

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

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

(6)  deliver classroom guidance activities or serve as a consultant to teachers conducting lessons based on the school's guidance curriculum; [~~and~~]

(7)  serve as an impartial, nonreporting resource for interpersonal conflicts and discord involving two or more students, including accusations of bullying under Section 37.0832;

(8)  serve on a placement review committee under Section 37.003;

(9)  assist with a student placed into a disciplinary alternative education program as provided by Section 37.008; and

(10)  serve on a committee to review a student's placement in an alternative education program under Section 37.306.

(d)  A school counselor may not be required to assume a disciplinary role at a school, or to otherwise be assigned a duty involving student discipline that is inconsistent with the counselor's primary responsibility under Subsection (a) and additional responsibilities under this section. This subsection does not prohibit a school counselor from serving on:

(1)  a placement review committee under Section 37.003; or

(2)  a committee to review a student's placement in an alternative education program under Section 37.306.

SECTION 2.  Section 37.008, Education Code, is amended by amending Subsection (a) and adding Subsection (a-2) to read as follows:

(a)  Each school district shall provide a disciplinary alternative education program that:

(1)  is provided in a setting other than a student's regular classroom;

(2)  is located on or off of a regular school campus;

(3)  provides for the students who are assigned to the disciplinary alternative education program to be separated from students who are not assigned to the program;

(4)  focuses on English language arts, mathematics, science, history, and self-discipline;

(5)  provides for students' educational and behavioral needs;

(6)  provides supervision and counseling from a school counselor employed by the district; and

(7)  employs only teachers who meet all certification requirements established under Subchapter B, Chapter 21.

(a-2)  The minimum standards adopted by the agency under Subsection (a-1) must require a school district to consult with the district's school counselor in developing a plan for a student's transition from a disciplinary alternative education program to a regular campus.

SECTION 3.  This Act applies beginning with the 2019-2020 school year.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.