

By: Lucio  
(González of El Paso, Wu)

S.B. No. 426

Substitute the following for S.B. No. 426:

By: González of El Paso

C.S.S.B. No. 426

A BILL TO BE ENTITLED

AN ACT

relating to the use of public school counselors' work time.

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

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

(d) The board of trustees of each school district shall adopt a policy that specifies a percentage of a school counselor's total work time that the school counselor is required to spend on duties that are components of a counseling 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. 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 employees, parents of district students, and the public.

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

1           SECTION 2. (a) Each school district shall implement a  
2 policy adopted under Section 33.006(d), Education Code, as added by  
3 this Act, beginning with the 2019-2020 school year.

4           (b) Section 33.006(e), Education Code, as added by this Act,  
5 applies only to a contract executed on or after the effective date  
6 of this Act. A contract executed before the effective date of this  
7 Act is governed by the law in effect on the date the contract was  
8 executed, and the former law is continued in effect for that  
9 purpose.

10          SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2019.