

BILL ANALYSIS

Senate Research Center
78R7792 CAS-D

C.S.S.B. 251
By: Lucio
Education
4/4/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, school counselors perform clerical and administrative duties that take away time from their counseling activities. C.S.S.B. 251 requires school districts to implement policies detailing appropriate use of school counselors' time. This bill adopts a policy on the appropriate use of counselors and defines the role of counselors in the test assessment process. Furthermore, this bill prevents the time spent administering assessment from being included in the time set aside for counseling and guidance activities.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of education in SECTION 1 (Section 33.006, Education Code) and in SECTION 2 (Section 39.074, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 33.006, Education Code, by adding Subsection (c), to require the board of trustees of each school district to adopt a policy in accordance with rules adopted by the commissioner of education (commissioner) establishing the percentage of total work time a counselor is expected to spend on the components of a guidance and counseling program as provided by Section 33.005. Specifies the activities that are not considered counseling or guidance. Requires each school in the district to implement the policy. Requires each school in the district to maintain a copy of the policy in the office and to make it available on request during regular school hours to concerned parties.

SECTION 2. Amends Section 39.074, Education Code, by adding Subsection (g), to require the commissioner, prior to an investigation, to request the district scheduled for investigation to assess and provide a written copy of the assessment of the district's compliance with the adopted policy under Section 33.006 (c). Establishes procedures of an investigation for that policy. Requires the commissioner to adopt rules for carrying out this subsection.

SECTION 3. (a) Requires each school district to implement a policy adopted under Section 33.006(c), Education Code, beginning with the 2004-2005 school year.

(b) Provides that Section 39.074(g), Education Code, as added, applies beginning with the 2004-2005 school year.

SECTION 4. Effective date: upon passage or September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Differs from original by adding language that requires the board of trustees of each school district to adopt the specified policy in accordance with rules adopted by the commissioner of education. Changes proposed language regarding what the policy establishes, and makes a conforming change.

SECTION 2. Differs from original by adding proposed language to require the commissioner to

adopt rules for carrying out the subsection.

SECTION 3. No change.

SECTION 4. No change.