

BILL ANALYSIS

Senate Research Center
77R5674 KKA-D

S.B. 538
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Education
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As Filed

DIGEST AND PURPOSE

Currently, the Texas Education Code details the primary responsibilities of public school counselors and outlines the developmental guidance and counseling programs they design. However, these statutory guidelines apply only to schools which receive funding from the state compensatory education allotment for elementary school counseling programs. A Texas Education Agency report indicated that school counselors who are employed under these guidelines dealt with less administrative and clerical tasks unrelated to guidance and counseling and were able to focus more on counseling students, especially those who are at-risk. As proposed, S.B. 538 directs a statewide study to examine what duties are being performed by counselors and how counselors distribute their time amongst those duties. As well, this study will assess student/counselor ratios at the three public school levels: elementary, middle, and high school.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Requires the comptroller of public accounts (comptroller) to conduct a comprehensive statewide study of the duties public school counselors perform. Requires the comptroller, in conducting the study, to include all public school counselors, regardless of whether the counselors are employed by a school district that receives funds as provided by Section 42.152(i)(relating to requiring the commissioner of education to withhold a certain amount of funds), Education Code and to determine the percentage of total employment time public school counselors spend in performing certain duties. Requires the comptroller to study each duty described by Section 33.005 (Development guidance and counseling programs) or 33.006 (Counselors), Education Code, that is not addressed by Paragraph (A), and each additional duty not addressed by Paragraph (A) or (B) that public school counselors perform, as identified by the comptroller. Requires the comptroller to determine the public school counselor-to-student ratio statewide and in each school district at the elementary, middle or junior high, and high school levels. Requires the comptroller, not later than January 1, 2003, to submit a report to the legislature containing the findings and any recommendations resulting from the study.

SECTION 2. Effective date: September 1, 2001.