

BILL ANALYSIS

Senate Research Center
79R5504 SLO-D

S.B. 813
By: Lucio
Education
4/5/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, a school district with 500 or more students enrolled in elementary school grades is required to employ a counselor for each elementary school in the district. A district with fewer than 500 students enrolled in elementary school grades is required to provide guidance and counseling services to elementary school students by certain methods.

Growing evidence shows that school counseling programs improve educational outcomes by decreasing absences, discipline referrals, and high-risk behaviors, and by improving test scores. Children with emotional disturbances have the highest rates of school failure. Nationwide, 7.5 million children under the age of 18 require mental health intervention; however, only one in five receives services. Fifty percent of these students drop out of high school, and 73 percent are arrested within five years of leaving school.

In 2001-02, Texas State Comptroller Carole Keeton Strayhorn's review of school guidance and counseling services reported a student-to-counselor ratio of 429:1. Elementary schools had the highest ratios at 555:1 and high schools, the lowest, at 328:1. The American School Counseling Association and the National Education Agency recommend ratios of 250:1. The Texas School Counselor Association, Texas Association of Secondary School Principals, and the Texas Elementary School Principals and Supervisors Association have recommended ratios of 350:1.

As proposed, S.B. 813 promotes student performance and retention by establishing a student-to-counselor ratio of no more than 350:1. This bill requires a school district with 350 or more students in enrollment to employ one school counselor certified under the rules of the State Board for Educator Certification for each school in the district, and requires the district to employ at least one certified school counselor for every 350 students in the district.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 42.2518, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 33.002(b) and (c), Education Code, as follows:

(b) Requires a school district with 350, rather than 500, or more students in enrollment to employ a counselor certified under the rules of the State Board for Educator Certification for each school, rather than for each elementary school, in the district. Makes a conforming change. Deletes existing text relating to elementary school grades.

(c) Makes conforming changes.

SECTION 2. Amends Section 42.152(i), Education Code, to provide that funds distributed under this subsection are in addition to any other funds available for programs under Subchapter A (School Counselors and Counseling Programs), Chapter 33, including funds provided under Section 42.2518. Deletes existing text relating to program distribution of funds financed by the commissioner of education (commissioner).

SECTION 3. Amends Subchapter E, Chapter 42, Education Code by adding Section 42.2518, as follows:

Sec. 42.2518. ADDITIONAL STATE AID FOR CERTIFIED COUNSELORS. (a) Provides that a school district, for each school year, is entitled to state aid in an amount, from funds that may be used for the purpose, as determined by the commissioner, sufficient to assist the district in employing the number of certified counselors required by Section 33.002 (Certified Counselor).

(b) Requires the commissioner to adopt rules as necessary to administer this section.

SECTION 4. Repealer: Section 33.002(a) (Certified Counselor), Education Code.

SECTION 5. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 6. Effective date: September 1, 2005.