

BILL ANALYSIS

Senate Research Center
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S.B. 164
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

School counselors are an essential resource for K-12 students. Research shows that the presence of a counselor in a school significantly increases student achievement and decreases misbehavior incidents. Additionally, counselors are indispensable to students planning a path to graduation under the new requirements of last session's H.B. 5. However, under current law, schools with under 500 students are not statutorily required to employ a full-time counselor, and parents of children at these schools have no easy way to determine whether their children have access to essential counseling services.

S.B. 164 requires that if a school does not have a full-time school counselor assigned to the campus for more than 30 instructional days, the district and school must post notice of the absence of a counselor on their websites. This simple notice must appear online no later than the 30th instructional day after the first day that the school does not have a full-time counselor assigned to the campus, and must be provided in a bilingual form.

As proposed, S.B. 164 amends current law relating to a notification requirement if a school counselor is not assigned to a public school campus.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 33.008, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 33, Education Code, by adding Section 33.008, as follows:

Sec. 33.008. PARENTAL NOTIFICATION CONCERNING SCHOOL COUNSELORS. (a) Requires that if a public school, including an open-enrollment charter school, does not have a full-time school counselor certified under Subchapter B (Certification of Educators), Chapter 21, assigned to the campus for more than 30 consecutive instructional days during the same school year, notice of the absence of a school counselor be posted on the Internet website of the school district and of the school, if the school maintains an Internet website.

(b) Requires the district and the school to post the notice required by Subsection (a) not later than the 30th instructional day after the first day the school does not have a full-time school counselor assigned to the campus.

(c) Authorizes the district and the school to include, with the notice required by Subsection (a), information regarding when a school counselor is available at the campus.

(d) Requires the district and the school to make a good faith effort to ensure that the notice required by this section is provided in a bilingual form and retain a copy of any notice provided under this section.

(e) Authorizes the commissioner of education to adopt necessary rules regarding the notice required by this section.

SECTION 2. Provides that this Act applies beginning with the 2015-2016 school year.

SECTION 3. Effective date: upon passage or September 1, 2015.