

BILL ANALYSIS

Senate Research Center
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S.B. 178
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Education
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas students depend on school counselors to help them navigate their complex and uncertain academic and personal lives. Yet Texas schools employ far fewer counselors than is necessary to adequately serve their student population. There are over 400 students per school counselor in Texas, well over the recommended ratio of 250 to 1. Because of this scarcity, overworked counselors cannot provide sufficient access to their students, and Texas students are too often left to make important choices about their future or face emotional distress alone.

S.B. 178 provides a schedule for Texas schools to gradually increase the number of counselors they employ over the next eight school years. At the end of these eight school years, every school district with 300 students will employ one full-time school counselor for every 300 students. S.B. 178 rectifies the shortage of counselors in Texas schools, ensuring that students have access to the information, guidance, and support they need to flourish.

As proposed, S.B. 178 amends current law relating to the employment of certified school counselors by school districts.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 48.2641, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 33.002, Education Code, as follows:

Sec. 33.002. New heading: SCHOOL COUNSELOR TO STUDENT RATIO; DISTRIBUTION OF FUNDS FOR COUNSELING PROGRAMS. (a) Defines "school counselor."

(a-1) Creates this subsection from existing text. Provides that funds distributed under this subsection are in addition to any other funds available for programs under Subchapter A (School Counselors and Counseling Programs), including funds provided under Section 48.2641. Deletes existing text requiring the commissioner of education (commissioner), in distributing those funds, to give preference to a school district that received funds under this subsection for the preceding school year, and providing that this section applies only to a school district that receives funds as provided by this subsection.

(b) Requires a school district with 300 or more students in enrollment, beginning with the 2029-2030 school year, to employ a school counselor for each school in the district and to employ at least one school counselor for every 300 students in the district. Deletes existing text requiring a school district with 500 or more students enrolled in elementary school grades to employ a school counselor certified under the rules of the State Board for Educator Certification (SBEC) for each elementary school in the district, and to employ at least one school counselor for every 500 elementary school students in the district.

(b-1) Requires a school district with 350 or more students in enrollment, beginning with the 2027-2028 school year, to employ a school counselor for each school in the district, and to employ at least one school counselor for every 350 students in the district. Provides that this subsection expires September 1, 2029.

(b-2) Requires a school district with 400 or more students in enrollment, beginning with the 2025-2026 school year, to employ a school counselor for each school in the district, and to employ at least one school counselor for every 400 students in the district. Provides that this subsection expires September 1, 2027.

(b-3) Requires a school district with 450 or more students in enrollment, beginning with the 2023-2024 school year, to employ a school counselor for each school in the district, and to employ at least one school counselor for every 450 students in the district. Provides that this subsection expires September 1, 2025.

(b-4) Requires a school district with 500 or more students in enrollment to employ a school counselor for each school in the district, and to employ at least one school counselor for every 500 students in the district. Provides that this subsection expires September 1, 2023.

(c) Requires a school district with fewer than 300 students in enrollment, beginning with the 2029-2030 school year, to provide guidance and counseling services to students by employing a part-time school counselor, by employing a part-time teacher certified as a school counselor under Subchapter B (Certification of Educators), Chapter 21 (Educators), or by entering into a shared services arrangement agreement with one or more school districts to share a school counselor. Deletes existing text requiring a school district with fewer than 500 students enrolled in elementary school grades to provide guidance and counseling services to elementary school students by employing certain persons certified under the rules of SBEC.

(c-1) Requires a school district with fewer than 350 students in enrollment, beginning with the 2027-2028 school year, to provide guidance and counseling services to students by employing a part-time school counselor, by employing a part-time teacher certified as a school counselor under Subchapter B, Chapter 21, or by entering into a shared services arrangement agreement with one or more school districts to share a school counselor.

(c-2) Provides that Subsection (c-1) and this subsection expire September 1, 2029.

(c-3) Requires a school district with fewer than 400 students in enrollment, beginning with the 2025-2026 school year, to provide guidance and counseling services to students by employing a part-time school counselor, by employing a part-time teacher certified as a school counselor under Subchapter B, Chapter 21, or by entering into a shared services arrangement agreement with one or more school districts to share a school counselor.

(c-4) Provides that Subsection (c-3) and this subsection expire September 1, 2027.

(c-5) Requires a school district with fewer than 450 students in enrollment, beginning with the 2023-2024 school year, to provide guidance and counseling services to students by employing a part-time school counselor, by employing a part-time teacher certified as a school counselor under Subchapter B, Chapter 21, or by entering into a shared services arrangement agreement with one or more school districts to share a school counselor.

(c-6) Provides that Subsection (c-5) and this subsection expire September 1, 2025.

(c-7) Requires a school district with fewer than 500 students in enrollment to provide guidance and counseling services to students by employing a part-time

school counselor, by employing a part-time teacher certified as a school counselor under Subchapter B, Chapter 21, or by entering into a shared services arrangement agreement with one or more school districts to share a school counselor.

(c-8) Provides that Subsection (c-7) and this subsection expire September 1, 2023.

SECTION 2. Amends Subchapter F, Chapter 48, Education Code, by adding Section 48.2641, as follows:

Sec. 48.2641. ADDITIONAL STATE AID FOR CERTIFIED SCHOOL COUNSELORS. (a) Entitles a school district, for each school year, from funds that may be used for the purpose, to state aid in an amount, as determined by the commissioner, sufficient to assist the district in employing the number of certified school counselors required by Section 33.002.

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

SECTION 3. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 4. Effective date: upon passage or September 1, 2021.