

The Texas Education Agency (TEA) adopts the repeal of §§61.1026, 61.1071, and 61.1073, concerning school district reporting requirements and counseling public school students. The repeal is adopted without changes to the proposed text as published in the March 14, 2025 issue of the *Texas Register* (50 TexReg 1889) and will not be republished. The adopted repeal relocates the existing requirements to new 19 TAC Chapter 78.

REASONED JUSTIFICATION: Section 61.1026 requires school districts and open-enrollment charter schools to report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) the number of full-time equivalent school counselors at each campus and the availability of expanded learning opportunities. The adopted repeal of §61.1026 moves the existing language to adopted new §78.1001 with no changes to the content of the rule.

Section 61.1071 requires school counselors to provide certain information about higher education to a student and a student's parent or guardian during the first year the student is enrolled in a high school or at the high school level in an open-enrollment charter school and again during the student's senior year. The adopted repeal of §61.1071 moves the language to new §78.2001.

Section 61.1073 implements the statutory requirement for school districts to annually assess compliance with the district policy requiring a school counselor to spend at least 80% of the school counselor's total work time on duties that are components of a counseling program. The adopted repeal of §61.1073 moves the existing language to adopted new §78.1003 with no changes to the content of the rule.

The relocations are necessary due to a comprehensive reorganization of 19 TAC Chapter 61.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began March 14, 2025, and ended April 14, 2025. No public comments were received.

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §33.252, which outlines the types of expanded learning opportunities that may be provided by school districts and open-enrollment charter schools and the manner in which expanded learning opportunities may be offered; and TEC, §48.009, which requires the commissioner of education to by rule require each school district and open-enrollment charter school to report through the Public Education Information Management System information regarding the availability of school counselors at each campus and the availability of expanded learning opportunities as described by TEC, §33.252

CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code, §33.252 and §48.009.

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§61.1026. Statutorily Required Reporting through the Public Education Information Management System.

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CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code, §33.252 and §48.009.

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§61.1071. Counseling Public School Students Regarding Higher Education.

§61.1073. Annual Assessment of School District Compliance.