

School Counselor Work Time- FAQ

Frequently Asked Questions

- 1. Why is the [Annual Assessment of School District Compliance Concerning Counseling Public School Students \(19 TAC §61.1073\)](#) required and what must a school district include in its annual assessment of counseling?**

Texas Education Code (TEC), [§33.006\(d\)](#), as added by SB 179, 87th Texas Legislature, Regular Session, 2021, requires school districts to adopt a policy that requires 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 developed under TEC, [§33.005](#). TEC, [§33.006\(h\)](#), requires each school district to annually assess the district's compliance with the policy regarding school counselors' work time, and, on request by the commissioner, provide a written copy of the assessment to the Texas Education Agency (TEA) on or before a date specified by the commissioner. [19 TAC §61.1073 is the rule](#) that implements TEC, §33.006(h). The rule requires each district school counselor to track and document, using a district-standardized tracking tool, the time spent on work duties performed by the school counselor throughout a school year. The rule also identifies the elements that district assessments must include and the documentation to be included in annual requests by TEA for district assessments.
- 2. What are counseling duties (80%) and non-counseling duties (20%) for school counselors?**

TEC, [§33.005](#) and [§33.006](#), define school counseling duties. You can also find information about and examples of appropriate and inappropriate counseling duties on pages 117-119 of [The Texas Model for Comprehensive School Counseling Programs](#).
- 3. Where can I find work time analysis resources and time-tracking templates?**

[The Texas Model for Comprehensive School Counseling Programs](#) provides sample templates for work time analysis.
- 4. Which professionals should be analyzing their work time?**

Work time analysis is a best practice used in many fields and can be done efficiently. [19 TAC §61.1073\(a\)\(3\)](#) refers to school counselors as defined in state statute.
- 5. How will school districts be selected?**

School districts are randomly selected each school year.
- 6. Where can I find an example of the 80/20 board policy referenced in TEC, [§33.006\(d\)](#)?**

An example is available on the Texas Education Agency website.
- 7. Where can we find an example or template of the “district assessment” referenced in [19 TAC §61.1073\(c\) and \(d\)](#)?**

An example is available on the Texas Education Agency website.

8. Where do I find information on categorizing a particular counseling duty under the four counseling components as referenced in [19 TAC §61.1073\(b\)\(1\)\(B\)](#)?

You can find information on this topic on pages 28-29 and in Section 4 of [The Texas Model for Comprehensive School Counseling Programs](#).

9. How will school districts be notified if they are randomly selected by TEA?

A letter from TEA will be emailed to the district superintendent by October 15th for the year in which the school district is selected.

10. How will randomly selected school districts be notified that their submission was reviewed by TEA and notified of the outcome of that submission?

A compliance letter from TEA will be sent to the district superintendent after the review is complete.

11. Is testing an appropriate school counselor duty that can be included in the 80% of a school district's 80/20 board policy referenced in TEC, [§33.006\(d\)](#)?

Per [TEC, §33.006\(d\)](#), time spent in administering assessment instruments or providing other assistance in connection with assessment instruments, except time spent in interpreting data from assessment instruments, is not considered time spent on counseling.

12. How should school districts and school counselors code duties completed at night and on weekends from home?

As defined in [19 TAC §61.1073\(a\)\(4\)](#), a school counselor's total work time is the amount of time, reported in hours, that a school counselor is contracted to work as a school counselor for a school district during a school year. However, districts may choose to also measure the amount of non-contracted time school counselors are spending on school counseling duties in order to make district level changes to comply with statute.

13. Is time tracking a clerical duty that is not included in the 4 counseling components?

Tracking time and effort is a professional practice used in many fields and can be done efficiently. Counselors should spend at least 80% of their work time on appropriate counseling duties described in [TEC, §33.006](#). A comprehensive counseling program described in [TEC, §33.005](#), includes the component of system support, under which work time analysis falls. Work time analysis is a necessary and appropriate counseling duty.

14. What should a school district report if they have no school counselor?

Certain provisions of the TEC require that students of a school district or charter school receive services from school counselors (e.g., [TEC, §33.007\(a\), \(b\), and \(c\)](#)). As a result, a school district or charter school must have access to a school counselor to provide services to students in such situations. [19 TAC §61.1073\(a\)\(3\)](#) requires all certified school counselors employed as school counselors to report their work time analysis.

15. What are the consequences of a school district: not meeting the 80/20 policy as referenced in TEC, [§33.006\(d\)](#) or not following [19 TAC §61.1073](#)?

School districts should take steps to achieve compliance. TEA program staff will offer support on a case-by-case basis and may share information about compliance with other TEA divisions as necessary.

16. Where can we find an example or template of the “district assessment” referenced in [19 TAC §61.1073\(c\) and \(d\)](#)?

An example of a district assessment is available on [the TEA webpage](#).

17. Are school districts with part-time school counselors required to follow [TEC, §33.006](#) and [19 TAC §61.1073](#)?

Yes, [TEC, §33.006](#) and [19 TAC §61.1073](#) apply to all school counselors.

References:

[COMMISSIONER'S RULES CONCERNING COUNSELING PUBLIC SCHOOL STUDENTS
RULE §61.1073 Annual Assessment of School District Compliance](#)

[EDUCATION CODE CHAPTER 33. SERVICE PROGRAMS AND EXTRACURRICULAR ACTIVITIES](#)