

A young woman with dark hair, wearing a purple shirt, is looking directly at the camera with a slight smile. She is in a classroom setting, with other students and desks visible in the background, which are out of focus.

# TEA Supports for the School Counseling 80/20 Policy

2023

# Introduction

## Agenda

- Introduction
- Value to students and districts of counselors spending work time on statutory counseling duties
- Counseling Resources
- Conclusion

## Objectives

*Participants will:*

- Explore the value of counselors spending work time on statutory counseling duties
- Identify counseling resources to support the implementation of school counseling statutory requirements, with a focus on the 80/20 policy

## Stephanie Lerner

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## Role

- Serve as primary point of contact for Texas school counselors (SC)
- Develop SC resources and conduct SC trainings
- Support the strong implementation of a comprehensive school counseling program (CSCP)



What do you hope to learn from today's session?

Do you feel prepared to use school counselor resources for your school counseling work time analysis?



# Value

Objective 1: The participant will explore the value of counselors spending work time on statutory counseling duties.

## The value of time spent on statutory counseling duties:

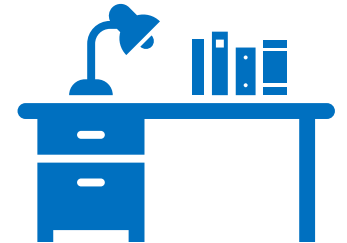
- Improved Student Outcomes
- Optimal Student Support
- Statutory Compliance



Let's explore each bullet in more detail. 

**Counseling programs can positively impact K-12 student outcomes in the areas of academic achievement, college and career readiness, and personal development.**

- Students with greater access to comprehensive school counseling programs have **increased likelihood of academic and behavior success** in school.
- Research shows that comprehensive, data-driven school counseling programs **increase student learning outcomes**.





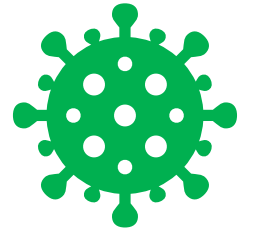
## **When at least 80% of the counselor's time is spent on counseling duties, students receive optimal support.**

- "Students benefit greatly from high-quality and effective comprehensive school counseling programs. School counselors facilitate improved student learning and success.
- Implementing a CSCP and providing high-quality counseling services aligns with Texas state law governing the work of school counselors. These laws and rules enhance the ability of school counselors to deliver the counseling services and programs that Texas students need to realize their life potential, experience success in school, and achieve their goals."



**Students have an increased need for responsive services post-pandemic. This increased need amplifies the importance of SCs spending at least 80% of their time on counseling duties.**

- “Poor mental health and suicidal thoughts and behaviors are increasing for nearly all groups of youth.”
- The United States Department of Education ([USDE](#)) [report on supporting student mental health](#) found that the pandemic has had a significant impact on students' mental health, adding considerable stress and resulting in notably elevated mental health challenges.
- “70 percent of public schools reported that the percentage of students who have sought mental health services increased since the start of the COVID-19 pandemic.”



(CDC, 2023)  
(USDE, 2021)  
(IES, 2022)

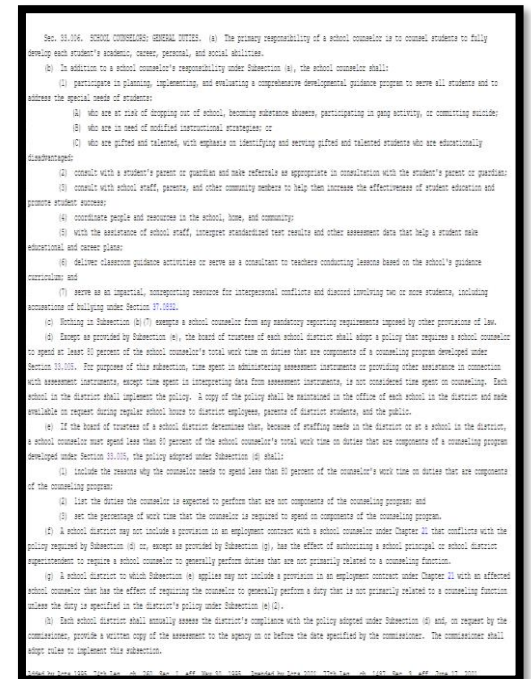
## TEC §33.006 SCHOOL COUNSELORS; GENERAL DUTIES.

**(a)** The **primary responsibility** of a school counselor is to counsel students to fully develop each student's academic, career, personal, and social abilities.

**(d)** Except as provided by Subsection (e), the board of trustees of each school district shall adopt a policy that requires a school counselor to spend at least **80 percent** of the school counselor's total work time on duties that are components of a counseling program developed under Section [33.005](#).

**(h)** Each school district shall annually assess the district's **compliance with the policy** adopted under Subsection (d) and, on request by the commissioner, provide a written copy of the assessment to the agency on or before the date specified by the commissioner. The commissioner shall adopt rules to implement this subsection.

[The full text of §33.006 can be found here.](#)



Next, let's look at 2 other parts of this code. 

## TEC §33.006 SCHOOL COUNSELORS; GENERAL DUTIES.

(e) If the board of trustees of a school district determines that, because of staffing needs in the district or at a school in the district, a school counselor must spend less than 80 percent of the school counselor's total work time on duties that are components of a counseling program developed under Section 33.005, the policy adopted under Subsection (d) shall:

- (1) include the **reasons** why the counselor needs to spend less than 80 percent of the counselor's work time on duties that are components of the counseling program;
- (2) list the **duties** the counselor is expected to perform that are **not components** of the counseling program; and
- (3) set the **percentage** of work time that the counselor is required to spend on components of the counseling program.

g) A school district to which Subsection (e) applies may not include a provision in an employment contract under Chapter 21 with an affected school counselor that has the effect of requiring the counselor to generally perform a duty that is not primarily related to a counseling function unless the duty is specified in the district's policy under Subsection (e)(2).

Next, let's look at what these school counseling duties and components are under §33.005. 

## TEC §33.005 COMPREHENSIVE SCHOOL COUNSELING PROGRAMS.

(a) A school counselor shall work with the school faculty and staff, students, parents, and the community to plan, implement, and evaluate a comprehensive school counseling program that conforms to the most recent edition of the [Texas Model](#) for Comprehensive School Counseling Programs developed by the Texas Counseling Association.

(b) The school counselor shall design the program to include:

- (1) **a guidance curriculum** to help students develop their full educational potential, including the student's interests and career objectives;
- (2) **a responsive services component** to intervene on behalf of any student whose immediate personal concerns or problems put the student's continued educational, career, personal, or social development at risk;
- (3) **an individual planning system** to guide a student as the student plans, monitors, and manages the student's own educational, career, personal, and social development; and
- (4) **system support** to support the efforts of teachers, staff, parents, and other members of the community in promoting the educational, career, personal, and social development of students.

Next, let's  
review the  
new rule to  
examine the  
system  
support  
component.



# Chapter 19 Texas Administrative Code §61.1073: An Overview

## Commissioner's Rules Concerning Counseling Public School Students, §61.1073, Annual Assessment of School District Compliance

This rule implements the statutory requirement for school districts to annually assess compliance with the district policy requiring a school counselor to spend at least 80 percent of the school counselor's total work time on duties that are components of a counseling program as required by Senate Bill 179, 87th Texas Legislature, Regular Session, 2021.

### **Adopted new §61.1073:**

- implements TEC §33.006(h)
- requires each district school counselor to track and document, using a district-standardized tracking tool, the time spent on work duties performed by the SC throughout a school year
- identifies the elements that district assessments must include and the documentation to be included in annual requests by TEA for district assessments.

(§61.1073, 2023)

## Reason for Rule

- **Statute** TEC [§33.006\(h\)](#) “Each school district shall annually assess the district's compliance with the policy adopted under Subsection (d) and, on request by the commissioner, provide a written copy of the assessment to the agency on or before the date specified by the commissioner. The commissioner shall adopt **rules** to implement this subsection.”
- **Professional Practice** “School Counselors need to know how their time is being spent to best determine ways to improve program delivery and identify possible program delivery impediments. Moreover, how time is spent needs to be analyzed and shared with important stakeholders.”

(School Counselors; General Duties, 2021)  
(ASCA, 2021)

- Are you able to spend at least 80 percent of your total work time on duties that are components of a counseling program?
- Why or why not?
- If not, what could be done to move you closer to this percentage?





# Counseling Resources

Objective 2: The participant will identify counseling resources to support the implementation of school counseling statutory requirements, with a focus on the 80/20 policy.

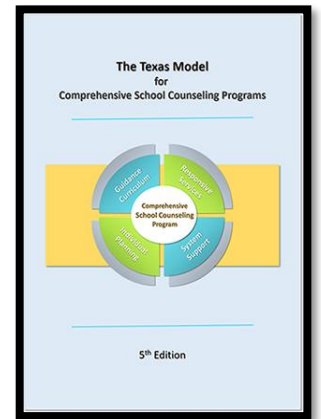
**Each resource below will be further explained with additional tools in the following slides.**

- *The Texas Model for Comprehensive School Counseling Programs* ([Texas Model](#)) - state guide on school counseling
- Counseling Program Tracking & Data Analysis Report - a work time analysis tool on page 107 of the [Texas Model](#)
- Steps for Reassignment of Duties - a list of collaborative steps from the [Texas Model](#) for administrators and SCs to decrease non-counseling duties
- FAQs related to the 80/20 policy
- Additional counseling program and work time analysis tools



**The Texas Model for Comprehensive School Counseling Programs describes best practices for implementing a school counseling program in Texas. It is based on the statutory description of Texas school counseling programs and school counselor duties (TEC §33.005-33.007).**

- Introduction - historical and statutory context
- Section I - school counseling responsibilities
- Section II - program implementation cycle
- Section III - step-by-step instructions and workbook boxes for creating the SC program foundation
- Section IV - SC role and duties, step-by-step instructions and workbook boxes for creating the SC program design (all tiers covered)
- Section V - guidance curriculum scope/sequence for tiers 1 and 2



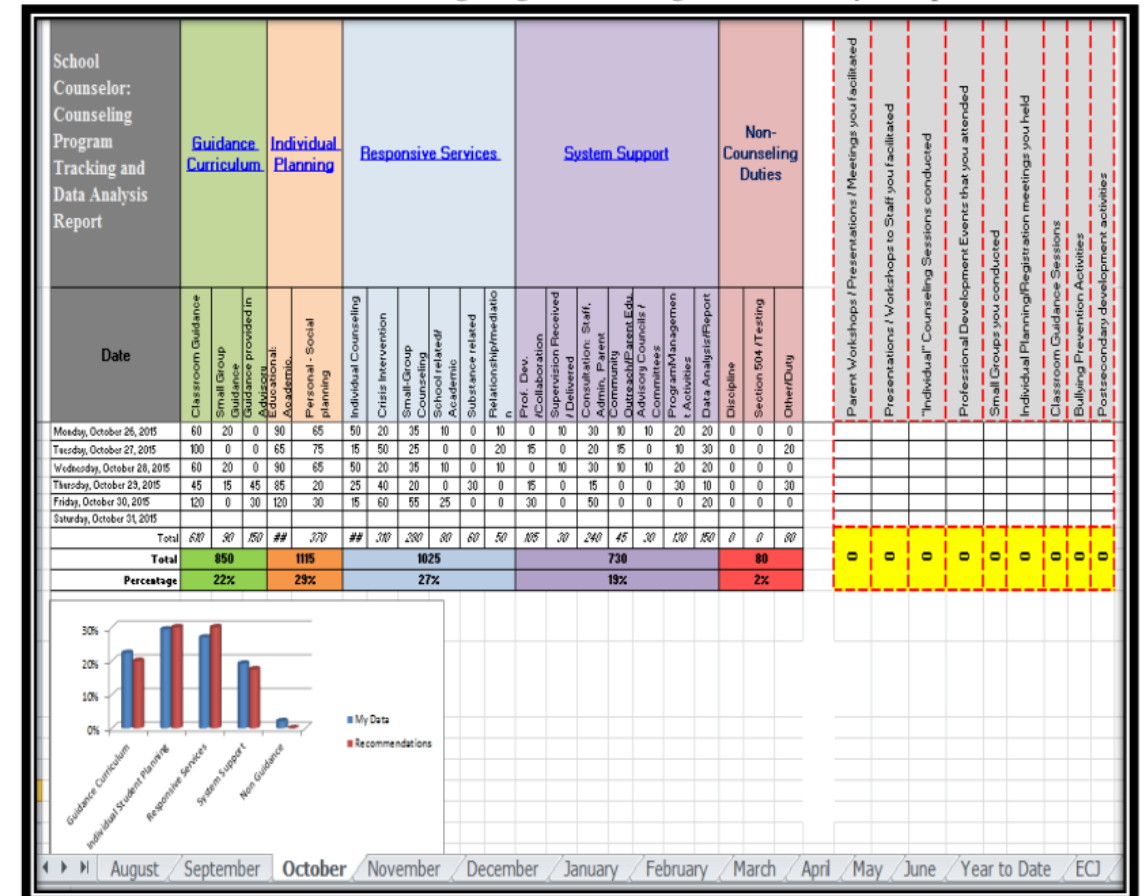
(Texas Model, 2018)

# Counseling Program Tracking & Data Analysis Report

This resource supports SCs in developing, monitoring, and organizing the counseling program. SCs may use this template to monitor how they are allocating time and in which component they are providing services to students.

- Based on data results (weekly, monthly, or annually), SCs can create a plan to reallocate time and to balance the counseling program.
- More information and details on this resource can be found on page 107 of the [Texas Model](#).
- Downloadable [Option 1](#) and [Option 2](#).

Figure 4.4.  
The School Counselor: Counseling Program Tracking and Data Analysis Report



# Steps for Reassignment of Non-Counseling duties

**In addition to determining non-counseling duties and using data to estimate the number of hours spent on those duties:**

- Consider if those tasks need to be completed and how they might be accomplished
- Determine the counseling duties to replace the non-counseling duties and the impact on students
- Engage in the planning of reassigning non-counseling tasks
- Recognize that this process takes time

Find this resource on pages 117-8 of [the Texas Model](#).

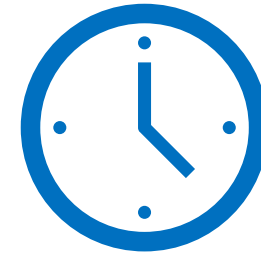
# 80/20 Frequently Asked Questions

- **What are counseling duties (80%) and non-counseling duties (20%) for SCs?** 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](#).
- **Where can I find work time analysis resources and time tracking templates?** Districts have the flexibility to develop or adopt appropriate time trackers and/or work time analysis procedures. [The Texas Model](#) and [Implementation Guide](#) provide various templates for work time analysis.
- **Which professionals should be analyzing their work time?** Work time analysis is a best practice used in many fields and can be done efficiently. §61.1073(a)(3) refers to SCs as defined in the rule.
- **How will districts be selected?** Districts will be selected through a random selection process.
- **Where can I find an example of the 80/20 board policy referenced in TEC §33.006(d)?** You can find an example at Policy Online here:  
<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=361&code=DP#regulationsTabContent> and  
<https://pol.tasb.org/PolicyOnline/PolicyDetails?key=361&code=DP#exhibitTabContent>

**There are many additional tools for ensuring that the SC's work time is spent on appropriate counseling duties.**

## **Templates**

- Use of Time 5 Day Calculator
- Mapp App
- Track Your Time and Share Your Data Webinar



## **Books**

- Implementation Guide
- Making Data Work
- Making MTSS Work

**Reflect on the counseling resources that we covered in this presentation.**

- Which resonated most strongly with you?
- What is one related action that you plan to take at your own campus or district?

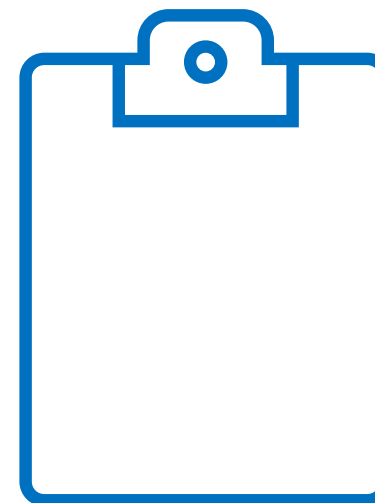




# Conclusion

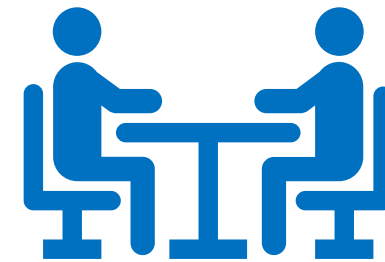
Please fill in the presentation survey so  
TEA can best meet your counseling  
needs with future presentations and  
resources.

Thank you.



## Today we discussed:

- The value of counselors spending work time on statutory counseling requirements
- Various resources to support the implementation of school counseling statutory requirements



# School Counseling Program Resources

- [Texas Model training overview and materials- checklist and example CSCP](#)
- [Texas Model AM and PM training and fillable CSCP](#)
- [Texas Model Admin training with materials](#)
- [Data in School Counseling training and materials](#)
- [Mental Health Wellness Guidance Lessons training and materials](#)
- [Student Support Group training and stress management group counseling guide](#)
- [Stress Management in School Counseling training and materials](#)
- [Financial Aid Graduation Requirements training and FAQs](#)
- [School Counselor-Community Partner Collaboration presentation](#)
- [Pandemic Mental Health Support Presentation: School Counseling Interventions at Each Tier](#)
- [Post-Pandemic Stress Management Supports: A Back-to-School Presentation](#)
- [Trauma-Informed School Counseling training](#)
- [Crisis Intervention and Prevention training and materials](#)
- [Counseling, Advising, & Student Supports Webpage](#)
- [Texas School Mental Health website](#)



# Questions & Thank You

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