

COMMITTEE SUBSTITUTE

FOR

**H. B. 2563**

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(BY DELEGATE(S) ELDRIDGE, PHILLIPS, R., STOWERS,  
TOMBLIN, CAMPBELL, REYNOLDS, FERNS, MARCUM,  
WHITE, LONGSTRETH AND FRAGALE)

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(Originating in the Committee on Finance)

[March 25, 2013]

A BILL to amend and reenact §18-5-18b of the Code of West Virginia, 1931, as amended, relating to percentage of their work time that school counselors must spend in a direct or indirect counseling relationship with at-risk students and other pupils and requiring that their remaining work time be spent on only counseling related administrative and other counseling related duties.

*Be it enacted by the Legislature of West Virginia:*

That §18-5-18b of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 5. COUNTY BOARD OF EDUCATION.**

**§18-5-18b. School counselors in public schools.**

1 (a) A school counselor means a professional educator who  
2 holds a valid school counselor's certificate in accordance with  
3 article three, ~~of this chapter~~ chapter eighteen-a of this code.

4 (b) Each county board shall provide counseling services for  
5 each pupil enrolled in the public schools of the county.

6 (c) The school counselor shall work with individual pupils  
7 and groups of pupils in providing developmental, preventive and  
8 remedial guidance and counseling programs to meet academic,  
9 social, emotional and physical needs; including programs to  
10 identify and address the problem of potential school dropouts.  
11 The school counselor also may provide consultant services for  
12 parents, teachers and administrators and may use outside referral  
13 services, when appropriate, if no additional cost is incurred by  
14 the county board.

15 (d) The state board may adopt rules consistent with the  
16 provisions of this section that define the role of a school coun-  
17 selor based on the "National Standards for School Counseling  
18 Programs" of the American school counselor association. A

19 school counselor is authorized to perform such services as are  
20 not inconsistent with the provisions of the rule as adopted by the  
21 state board. To the extent that any funds are made available for  
22 this purpose, county boards shall provide training for counselors  
23 and administrators to implement the rule as adopted by the state  
24 board.

25 (e) Each county board shall develop a comprehensive drop-  
26 out prevention program utilizing the expertise of school counsel-  
27 ors and any other appropriate resources available.

28 (f) School counselors shall be full-time professional person-  
29 nel. School counselors shall spend at least ~~seventy-five~~ ninety  
30 percent of their work time in a direct or indirect counseling  
31 relationship with at-risk students and other pupils, ~~and shall~~  
32 ~~devote no more than one fourth of the work day to administrative~~  
33 ~~activities: *Provided, That such activities are counselor related*~~  
34 and all remaining work time on only counseling related adminis-  
35 trative and other counseling related duties.

36 (g) Nothing in this section prohibits a county board from  
37 exceeding the provisions of this section, or requires any specific  
38 level of funding by the Legislature.

