

H. B. 4195

(By Delegate Marcum)

[Introduced January 16, 2014; referred to the
Committee on Education then Finance.]

**FISCAL
NOTE**

A BILL to amend and reenact §18-5-18b of the Code of West Virginia,
1931, as amended, relating to county boards of education;
school counselors; reducing the daily administrative time
required of counselors; and increasing the time actually spent
in counseling at-risk students and other pupils.

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.

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

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

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

12 (d) The state board may adopt rules consistent with the
13 provisions of this section that define the role of a school
14 counselor based on the "National Standards for School Counseling
15 Programs" of the American school counselor association. A school
16 counselor is authorized to perform ~~such~~ services as are not
17 inconsistent with the provisions of the rule as adopted by the
18 state board. To the extent that any funds are made available for
19 this purpose, county boards shall provide training for counselors
20 and administrators to implement the rule as adopted by the state
21 board.

22 (e) Each county board shall develop a comprehensive drop-out
23 prevention program utilizing the expertise of school counselors and
24 any other appropriate resources available.

1 (f) School counselors, ~~shall be~~ as full-time professional
2 personnel, shall spend at least ~~seventy-five~~ ninety percent of work
3 time in a direct counseling relationship with at-risk students and
4 other pupils, and shall devote no more than one ~~fourth~~ tenth of the
5 work day to administrative activities: *Provided*, That such
6 activities are counselor related.

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

NOTE: The purpose of this bill is to reduce the daily administrative time required of school counselors and increasing the time actually spent in counseling at-risk students and other pupils.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.