

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2391**

BY DELEGATE DEAN

[Introduced January 14, 2019; Referred  
to the Committee on Education.]

1 A BILL to amend and reenact §18-5-18b of the Code of West Virginia, 1931, as amended, relating  
2 to requiring school counselors in public schools to spend 100 percent of their time on  
3 comprehensive school counseling programs; and requiring county boards to ensure that  
4 school counselors are not assigned administrative or clerical duties as part of their regular  
5 work assignment or while students are present.

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

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

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

1 (a) A school counselor means a professional educator who holds a valid school  
2 counselor's certificate in accordance with §18-3-1 *et seq.* of this code.

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

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

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

18 (e) Each county board shall develop a comprehensive drop-out prevention program

19 utilizing the expertise of school counselors and any other appropriate resources available.

20 (f) School counselors shall be full-time professional personnel and shall spend ~~at least~~  
21 ~~seventy-five percent of work time in a direct counseling relationship with pupils, and shall devote~~  
22 ~~no more than one-fourth of the work day to administrative activities: *Provided*, That such activities~~  
23 ~~are counselor related~~ their time planning, designing, managing, facilitating and evaluating a  
24 comprehensive school counseling program that provides guidance content in a systematic way  
25 to all students, assists students in planning, monitoring, and managing their personal and career  
26 development, addresses the immediate concerns of all students, and includes, program, staff,  
27 parent and school development activities.

28 (g) Each county board shall ensure that school counselors are not assigned administrative  
29 or clerical duties as part of their regular work assignment or while students are present.

30 ~~(g)~~ (h) Nothing in this section prohibits a county board from exceeding the provisions of  
31 this section, or requires any specific level of funding by the Legislature.

NOTE: The purpose of this bill is to require school counselors in public schools to spend 100 percent of their time on comprehensive school counseling programs. The bill also requires county boards to ensure that school counselors are not assigned administrative or clerical duties as part of their regular work assignment or while students are present.

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