WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3085

By Delegates Rohrbach, Shamblin, Ferrell, W. Hall, and Howell

[Introduced January 26, 2023; Referred to the Committee on Education]

A BILL to amend and reenact §18-5-18b of the Code of West Virginia, 1931, as amended, by relating to authorizing county boards of education to provide public schools with the services of a licensed clinical professional counselor (LCPC) with a master's degree.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-18b. School counselors or therapists in public schools.

(a) A school counselor means a professional educator who holds a valid school counselor’s certificate in accordance with §18A-1-1 of this code.

(b) A school therapist means a licensed clinical professional counselor (LCPC) with a master's degree who holds a valid school counselor’s certificate in accordance with §18A-1-1 of this code.

~~(b)~~ (c) Each county board shall provide counseling services for each pupil enrolled in the public schools of the county by either a school counselor or a licensed clinical professional counselor (LCPC) with a master's degree.

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

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

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

~~(f)~~ (g) School counselors or school therapists shall be full-time professional personnel, shall spend at least 80 percent of work time in a direct counseling relationship with pupils, and shall devote no more than 20 percent of the work day to administrative activities: *Provided*, That such activities are counselor related.

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

NOTE: The purpose of this bill is to authorize county boards of education to provide public schools with the services of a licensed clinical professional counselor (LCPC) with a master's degree.

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