

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2563**

4 (By Delegates Eldridge, Phillips, R., Stowers, Tomblin,
5 Campbell, Reynolds, Ferns, Marcum, White, Longstreth and Fragale)

6 (Originating in the Committee on Finance)

7 [March 25, 2013]

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10 A BILL to amend and reenact §18-5-18b of the Code of West Virginia,
11 1931, as amended, relating to percentage of their work time
12 that school counselors must spend in a direct or indirect
13 counseling relationship with at-risk students and other pupils
14 and requiring that their remaining work time be spent on only
15 counseling related administrative and other counseling related
16 duties.

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

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

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

21 **§18-5-18b. School counselors in public schools.**

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

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

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

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

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

23 (f) School counselors shall be full-time professional
24 personnel. School counselors shall spend at least ~~seventy-five~~
25 ninety percent of their work time in a direct or indirect
26 counseling relationship with at-risk students and other pupils, and

1 ~~shall devote no more than one fourth of the work day to~~
2 ~~administrative activities: *Provided,* That such activities are~~
3 ~~counselor related~~ and all remaining work time on only counseling
4 related administrative and other counseling related duties.

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