

**H. B. 2563**

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

[Introduced February 20, 2013; referred to the Committee on Education then Finance.]

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.

(b) Each county board shall provide counseling services for 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, shall spend at least ~~seventy-five~~ ninety percent of work

1 time in a direct counseling relationship with at-risk students and  
2 other pupils, and shall devote no more than one ~~fourth~~ tenth of the  
3 work day to administrative activities: *Provided,* That such  
4 activities are counselor related.

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.

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.