

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

Senate Bill 41

BY SENATOR WOELFEL

[Introduced January 10, 2018; 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 increasing the amount of time school counselors spend on direct counseling; reducing
 3 the maximum amount of time school counselors may spend on administrative activities;
 4 and clarifying that school counselors work includes programs to identify problems
 5 associated with the use of opioids and other drug abuse issues.

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 and problems associated with the recent rise in the use of opioids and
 9 other drug abuse issues. The school counselor also may provide consultant services for parents,
 10 teachers and administrators and may use outside referral services, when appropriate, if no
 11 additional cost is incurred by the county board.

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

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

21 (f) School counselors shall be full-time professional personnel, shall spend at least
22 ~~seventy-five~~ ninety percent of work time in a direct counseling relationship with pupils, and shall
23 devote no more than one ~~fourth~~ tenth of the work day to administrative activities: *Provided*, That
24 such activities are counselor related.

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

NOTE: The purpose of this bill is to increase the percentage of time that school counselors spend on direct counseling and decrease the amount of time spent on administrative duties. The bill clarifies that the counselors' services include the opioid crisis and other drug abuse issues.

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