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HOUSE BILL NO. 2187

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on February 9, 2023)

(Patron Prior to Substitute—Delegate Rasoul)

A BILL to amend and reenact § 22.1-291.1:1 of the Code of Virginia, relating to school counselors; staff time.

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-291.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-291.1:1. School counselors; staff time.

A. As used in this section:

"Appraisal and advisement" means the act of assisting students in exploring their abilities, interests, skills, and achievement to make decisions and develop immediate and long-range goals and plans.

"Consultation, collaboration, and referrals" means the act of (i) providing information to and receiving information from individuals or teams to support a student's needs; (ii) working and communicating with parents, teachers, administrators, other school staff, and community stakeholders to (a) promote achievement for a specific student or (b) promote systemic change to address the needs of groups of underserved or underrepresented groups of students; and (iii) referring students to outside providers and resources as necessary.

"Crisis counseling" means the act of providing counseling to individual students or small groups of students to help such students navigate critical situations such as emergencies and crises.

"Direct counseling" means counseling programs and activities aimed at supporting students in mental health and wellness, academic achievement, and college and career planning, and includes school counseling curriculum lessons and activities, individual counseling, small group counseling, crisis counseling, appraisal and advisement, and consultation, collaboration, and referrals. "Direct counseling" does not include program planning and school support.

"Individual counseling" means the act of providing developmentally appropriate, goal-focused, and brief counseling sessions to individual students to address issues relating to mental health and wellness, social and emotional development, academic achievement, and college and career readiness.

"Program planning and school support" means the act of defining, planning, managing, and assessing school counseling activities. "Program planning and school support" includes the act of reviewing data, creating annual student outcome goals, creating action plans and results reports, holding annual administrative conferences, monitoring use-of-time, creating annual and weekly calendars, and facilitating school counseling advisory councils.

"School counseling curriculum lessons and activities" means the act of providing data-informed lessons or activities at the classroom level or on a schoolwide basis to provide students with the knowledge, attitudes, and skills appropriate for their developmental levels.

"Small group counseling" means the act of providing counseling to small groups of students with similar developmental or situational challenges with the goal of improving achievement, attendance, mental health or wellness, or behavioral outcomes.

B. Each school counselor employed by a school board in a public elementary or secondary school shall spend at least 80 percent of his staff time during normal school hours in the direct counseling of individual students or groups of students and may spend up to 20 percent of his staff time during normal school hours on program planning and school support.