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HOUSE BILL NO. 2468

Offered January 23, 1995

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 13 of Title 22.1 a section numbered 22.1-209.1:01, relating to school guidance and counseling programs.

Patrons—Newman, Marshall and Wilkins

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 13 of Title 22.1 a section numbered 22.1-209.1:01 as follows:

§ 22.1-209.1:01. School guidance and counseling programs; notice and consent required; school board policies.

A. Local school boards shall notify parents, legal guardians, or other persons having legal custody of pupils regarding the guidance and counseling programs, other than academic, educational, and career guidance activities, provided in the particular school in which the pupil is enrolled. The notice shall contain (i) a statement of the purpose of the school's guidance and counseling programs, including a description of any classroom guidance program and individual, group, and peer counseling services; (ii) a statement of the qualifications of individuals who may provide counseling services; (iii) a description of the lessons, techniques, and instructional materials used in each guidance or counseling program at each grade level, and the activities planned for the school year; and (iv) a copy of the local school board policy regarding parental consent for participation of minor pupils in these programs or services.

B. Written parental consent shall be required for participation of minor pupils in classroom guidance activities; individual counseling services, as indicated following an initial contact; and group counseling services. Parental consent to such participation may be withdrawn at any time. Parental consent shall not be required for pupil participation in academic, educational, or career guidance activities.

C. Each local school board shall adopt policies governing school guidance programs and counseling services. These policies shall (i) address the notification and consent required by this section; (ii) provide for parental involvement in the determination of the division's guidance and counseling needs and in the review and selection of guidance and counseling materials; and (iii) ensure parental access to information obtained during guidance or counseling sessions, except in cases of known or suspected child abuse or neglect, or as otherwise prohibited by law. In addition, such policies shall prohibit the use of psychotherapeutic techniques, including progressive relaxation, guided imagery, subliminal manipulation, auto-suggestion, hypnosis, transcendental meditation, and yoga, or any other methods that may lead to an altered state of consciousness or induce dissociative mental states. The implementation of techniques for which the counselor or teacher is not trained shall also be prohibited.

D. Local school boards shall make available, upon request by parents, legal guardians, or other persons having legal custody of a pupil enrolled in the school division, copies of the instructional materials and curricula guidelines used by counselors, teachers, or pupils in guidance or counseling programs.

E. Counseling notes and materials maintained by a teacher or counselor as part of a guidance or counseling program shall not become a part of the pupil's scholastic record.

INTRODUCED

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