

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1665 Session of 2023

INTRODUCED BY STEELE, D. MILLER, SANCHEZ, MADDEN, SCHLOSSBERG, McNEILL, HANBIDGE, FREEMAN, KHAN, HOWARD, PROBST, ROZZI, DELLOSO, STURLA, MAYES, FIEDLER, BOYD, WARREN, CONKLIN, SCOTT, GREEN, CERRATO AND KINKEAD, SEPTEMBER 12, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, MARCH 20, 2024

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for comprehensive school
6 counseling services.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XIII-F

13 COMPREHENSIVE SCHOOL COUNSELING SERVICES

14 Section 1301-F. Definitions.

15 The following words and phrases when used in this article
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Administrative activities." Activities that are not

1 directly related to the plan and that are absent of any direct
2 student services or interaction.

3 "Department." The Department of Education of the
4 Commonwealth.

5 "Direct services." As follows:

6 (1) Services that are provided through face-to-face
7 contact with students.

8 (2) The term includes the following:

9 (i) Classroom instruction.

10 (ii) Individual and group counseling for students.

11 (iii) Responsive services on behalf of a student
12 whose immediate personal concerns and problems put the
13 student's academic, career or social and emotional
14 development at risk. Responsive services include the
15 administration of a risk-assessment.

16 (iv) Interventions for a student who is:

17 (A) at risk of dropping out of school; or

18 (B) exhibiting dangerous behaviors, such as drug
19 use, self-harm or gang activity.

20 "Indirect services." Consultations among a student, a parent
21 or legal guardian of the student, school staff and community
22 agencies concerning the student's academic, career or social and
23 emotional needs.

24 "Plan." The comprehensive school counseling plan under
25 section 1302-F.

26 "School entity." Any of the following:

27 (1) A school district.

28 ~~(2) A public school as defined in 24 Pa.C.S. § 8102~~ <--
29 ~~(relating to definitions).~~ (RESERVED). <--

30 (3) An intermediate unit as described in Article IX-A.

1 (4) A charter school as defined in section 1703-A.

2 (5) A cyber charter school as defined in section 1703-A.

3 (6) A regional charter school as defined in section
4 1703-A.

5 (7) An area career and technical school as described in
6 section 1841.

7 Section 1302-F. Comprehensive school counseling plan.

8 (a) Authorization and purpose.--Each school entity shall
9 develop and implement a written comprehensive school counseling
10 plan that ensures that student services are coordinated in a
11 manner that provides comprehensive and developmental support to
12 all students of the school entity.

13 (b) Requirements generally.--A plan must:

14 (1) Be implemented by a Pennsylvania-certified school
15 counselor or counseling team working within each school in
16 the school entity.

17 (2) Utilize nationally recognized and State-recognized
18 counselor frameworks.

19 (3) Be reviewed annually and updated as needed by the
20 school counselor or counseling team, in collaboration with
21 each affected building principal as well as other
22 stakeholders and staff of each school entity.

23 (4) Be systemically aligned from kindergarten through
24 grade 12 within the school entity, including transitions
25 across schools within the school entity.

26 (5) Include sections for each grade and building within
27 the school entity, including student transitions between
28 grades and buildings as well as student transition to other
29 school entities.

30 (6) Be reflected in and integrated alongside the school

1 entity's student services plan as required under 22 Pa. Code
2 § 4.13 (relating to strategic plans) or any successor
3 regulation.

4 (c) Components.--A plan must contain the following:

5 (1) A foundation component, which must include:

6 (i) A vision statement.

7 (ii) A mission statement.

8 (iii) Plan goals.

9 (2) A management component, which utilizes assessments
10 and other data to develop, implement and evaluate the plan.

11 (3) A delivery component, which focuses on direct
12 services and indirect services through the implementation of
13 the plan and which shall include:

14 (i) A plan for each grade taught by the school
15 entity.

16 (ii) A plan for students with individualized
17 education plans and other special needs.

18 (iii) A plan for each building in the school entity,
19 if applicable.

20 (4) An accountability component, which ensures regular
21 analysis of the plan.

22 (d) Contents.--A plan must:

23 (1) Guide students in academic pursuits, career planning
24 and social and emotional learning.

25 (2) Follow the comprehensive school counseling program
26 guidance provided by the department.

27 (3) Include goals that are developed annually based on
28 the vision and mission statements that are shared by
29 stakeholders to ensure equitable access to opportunities for
30 all students.

1 (4) Identify student needs through a multilevel school
2 data review that includes:

3 (i) Data analysis.

4 (ii) Use-of-time data review.

5 (iii) Program results data.

6 (iv) Communication and contact with administrators,
7 students, parents and guardians of students and
8 stakeholders.

9 Section 1303-F. School counselor use of time.

10 (a) General requirement.--Sufficient time at each school
11 entity shall be allotted for the school entity's counselor to
12 carry out the duties stated in the school entity's plan.

13 (b) Direct and indirect services.--

14 (1) A school counselor shall spend at least 80% of the
15 school counselor's working time during student contact days
16 providing direct services and indirect services to students.

17 (2) Direct services and indirect services may be
18 provided in collaboration with other school personnel and
19 include:

20 (i) Providing academic advisement services,
21 including:

22 (A) Developing an individual planning system to
23 guide a student to access and monitor the student's
24 own educational, career and social and emotional
25 progress.

26 (B) Guiding a student along the pathways to
27 graduation.

28 (C) Guiding a student in goal-setting
29 experiences and course selection aligned with the
30 student's post-secondary goals.

1 (D) Addressing accelerated learning
2 opportunities.

3 (E) Addressing academic deficits and the
4 accessibility of resources.

5 (F) Providing student assessment reviews,
6 interest inventories or academic results needed to
7 develop, review and revise a student's plan of study.

8 (G) Providing support for students who show
9 potential so they are more likely to engage in
10 rigorous coursework and take advantage of post-
11 secondary opportunities.

12 (ii) Providing a career planning process, including:

13 (A) Guidance in understanding the relationship
14 between classroom performance and success in school
15 and beyond.

16 (B) The provision of resources to identify
17 career interests and aptitudes to assist a student in
18 age-appropriate college and career planning.

19 (C) Guidance in understanding the advantages of
20 completing career certifications and internships.

21 (D) Interpretation of augmented, criterion-
22 referenced or norm-referenced assessments for
23 students and parents or guardians of students.

24 (E) The provision of information to a parent or
25 legal guardian of a student, such as through
26 workshops on preparing for college, financial aid and
27 career opportunities.

28 (F) Encouragement to a parent or legal guardian
29 of a student to support partnerships in the student's
30 learning and career planning processes.

1 (iii) Providing social and emotional skills designed
2 to support students, including programs to:

3 (A) Promote cultural and social awareness,
4 positive communication and relationship skills,
5 collaboration with others and responsible decision
6 making.

7 (B) Improve culture and climate in the school
8 entity so that all students can feel that they are in
9 a safe and supportive environment.

10 (C) Develop conflict-resolution skills.

11 (D) Prevent bullying, including:

12 (I) Training programs for school employees
13 regarding how to recognize bullying behaviors.

14 (II) Protocols for responding to bullying
15 that is occurring in the school entity.

16 (III) Strategies that support a student who
17 is being bullied.

18 (IV) Strategies that help a bystander speak
19 out against bullying.

20 (E) Address age-appropriate suicide awareness
21 and prevention through:

22 (I) Strategies that help identify a student
23 who is at risk for suicide.

24 (II) Strategies and protocols that help a
25 student who is at risk for suicide.

26 (III) Protocols for responding to a suicide
27 death.

28 (iv) Intervening with students who are at risk of
29 dropping out of school to determine if there is a way to
30 keep the students in school.

1 (v) Providing orientation programs for new students
2 and transferring students at each level of education.

3 (vi) Serving as a contributing member of decision-
4 making teams and programs, which include:

5 (A) Teams that are convened under 29 U.S.C. §
6 794 (relating to nondiscrimination under Federal
7 grants and programs).

8 (B) Multitiered System of Supports (MTSS) or
9 Response to Intervention (RTI) teams.

10 (C) English language learner programs.

11 (D) Parental involvement or family engagement
12 programs.

13 (E) Positive behavioral intervention support
14 programs.

15 (F) Advanced placement and gifted and talented
16 programs.

17 (c) Administrative activities.--

18 (1) Administrative activities performed by a school
19 counselor shall not exceed more than 20% of the school
20 counselor's time spent working during student contact days.

21 (2) Administrative activities provided by a school
22 counselor in collaboration with other school personnel
23 include:

24 (i) Coordinating State assessments, cognitive
25 achievement assessments, advanced placement programs and
26 language acquisition testing programs.

27 (ii) Developing master schedules.

28 (iii) Coordinating the following:

29 (A) Teams that are convened under 29 U.S.C. §
30 794.

- 1 (B) Response to Intervention (RTI) teams.
2 (C) English language learner programs.
3 (D) Parental involvement or family engagement
4 programs.
5 (E) Positive behavioral intervention support
6 programs.
7 (F) Advanced placement and gifted and talented
8 programs.
9 (G) Data entry.
10 (iv) Monitoring students in common areas, such as
11 the cafeteria, a hallway, the playground or bus lines.

12 Section 1304-F. Monitoring and support.

13 (a) Posting of plan.--Each school entity shall be
14 responsible for posting its plan on the school entity's publicly
15 accessible Internet website or, in the alternative, on the
16 publicly accessible Internet website of the school entity's
17 school district, under the category of State-required
18 information.

19 (b) Oversight.--Beginning with the 2024-2025 school year,
20 the department shall monitor each school entity to ensure
21 implementation and compliance with this article.

22 (c) Departmental duties.--The department shall:

23 (1) Employ at least one individual who is certified as a
24 school counselor.

25 (2) Provide a multilevel system of support to school
26 entities to assist in complying with this article.

27 (3) Provide guidance and technical assistance to school
28 entities to support equitable access to school counseling
29 services.

30 Section 2. This act shall take effect immediately.