

## **Guidelines to Implement G.S. §115C-316.1 (Duties of School Counselors)**

### **Introduction**

This document provides guidance to LEAs throughout the state of North Carolina for the implementation of G.S. §115C-316.1, the School Safety legislation clarifying the “Duties of School Counselors.” The role of school counselors within the overall school environment has been clarified to ensure that school counselors have the opportunity to develop and implement comprehensive developmental school counseling programs that remove barriers to learning and promote student success. Professional school counselors utilize leadership, advocacy and collaboration to promote academic success and personal success for all students. A comprehensive school counseling program encompasses areas of academic, career and personal/social development for all students and supports the overall academic mission of the school. School counselors can help foster safer school environments in a variety of ways, including the facilitation of anti-bullying programs, character education programs as well as assisting students who have serious mental health concerns through finding resources to get those concerns addressed. By taking on leadership roles that are consistent with the role and function of school counselors, as well as performing the “fair share” duties expected of all faculty and staff members, school counselors will continue to work collaboratively to ensure that all students achieve academically and experience personal success in order to graduate career and college ready and to be globally prepared citizens.

### **§ 115C-316.1 (Duties of school counselors)**

School counselors shall implement a comprehensive developmental school counseling program in their schools. Counselors shall spend at least eighty percent (80%) of their work time providing direct services to students. Direct services do not include the coordination of standardized testing.

Direct services shall consist of:

- (1) Delivering the school guidance curriculum through large group guidance, interdisciplinary curriculum development, group activities, and parent workshops.
- (2) Guiding individual student planning through individual or small group assistance and individual or small group advisement.
- (3) Providing responsive services through consultation with students, families, and staff; individual and small group counseling; crisis counseling; referrals; and peer facilitation.
- (4) Performing other student services listed in the Department of Public Instruction’s school counselor job description that has been approved by the State Board of Education.

School counseling program support activities do not include the coordination of standardized testing. During the remainder of their time, school counselors may assist other staff with the coordination of standardized testing.

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### **NC Department of Public Instruction Stakeholder Focus Work Group for Guideline Development**

#### **Team Members:**

Representatives invited to be part of the work group were from:

- Local Education Agency (LEA) representatives from each of the districts designated by the NC State Board of Education (Districts 1-8)
- School Counselors
- LEA School Counseling Supervisors
- Human Resource (HR) Directors
- Principals
- Early College Programs
- Charter Schools
- NCDPI Staff from Accountability, Career & Technical Education and Curriculum & Instruction Divisions
- Institutes of Higher Education
- NC Community College System

Following is a chart that offers suggested guidelines to assist LEAs in following this legislation.

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Plan Components	Expected Outcomes	Strategies Such As:	Examples of Accountability Measures	Person(s) Responsible	Timeline
<p><b>A Comprehensive Developmental School Counseling Program (80%)</b></p> <p><i>“How are students different as a result of the School Counseling Program?”</i></p>	<p>School Counselors will develop a comprehensive developmental school counseling plan based on school data reflecting the needs of the school/students that is aligned with the school improvement plan.</p> <p>School Counselors will follow the NCDPI/SBE approved School Counselor Job Description, spending 80% of their work time in the delivery of student support services with 20% of their work time spent in program support activities.</p>	<p><b><u>Review and understand role of school counseling in the school improvement plan</u></b></p> <ul style="list-style-type: none"> <li>● Use and follow NCDPI resources: School Counselor Job Description, NC Professional Standards for School Counselors, NC School Counselor Evaluation, and NC Guidance Essential Standards</li> <li>● Review school data and the school improvement plan to assess needs</li> <li>● Develop a data-driven School Counseling Program Annual Plan/Agreement with student support services team and administrators that will help students overcome issues impeding student achievement by addressing academic, career and personal-social issues</li> </ul> <p><b><u>Implement NC Guidance Essential Standards:</u></b></p> <ul style="list-style-type: none"> <li>● Facilitate interdisciplinary curriculum development</li> <li>● Work with related content-specific staff in professional learning communities to integrate the NC Guidance Essential Standards throughout the various curricula within the school</li> </ul>	<p>Use the national framework for school counseling, ASCA National Model for School Counseling, which includes:</p> <p>School Counseling Program Assessment</p> <p>School Counselor Assessment</p> <p>School Counseling Code of Ethics</p> <p>School Data &amp; School Improvement Plan</p> <p>School Counseling Program Annual Agreement includes program goals, action plans, and outcome data</p> <p>Program and individual calendars</p> <p>Use of Time Assessments</p>	<p>NCDPI Consultant</p> <p>District and Building- Level Administrators</p> <p>School Counselors</p> <p>Career Development Coordinators</p> <p>Teacher PLCs</p> <p>Student Support Personnel</p>	<p>To be determined locally</p> <p>Annually</p>

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	<p><b><u>Provide Student Planning/Career Advising to support student achievement through</u></b></p> <ul style="list-style-type: none"> <li>● Small group counseling</li> <li>● Individual advising and counseling</li> <li>● Career and College Readiness programs and activities</li> <li>● Classroom lessons including the NC Guidance Essential Standards</li> <li>● Student assistance advising and planning to evaluate abilities, interests, skills and achievement for future academic planning to the next grade-level and post-secondary planning</li> <li>● Promotion of safe school environment through prevention and intervention strategies</li> <li>● School-wide Programs             <ul style="list-style-type: none"> <li>– Bullying Prevention</li> <li>– Character Development</li> <li>– Career Development</li> </ul> </li> <li>● Peer Mediation/Facilitation</li> <li>● Parent Workshops</li> </ul> <p><b><u>Provide Responsive Services through</u></b></p> <ul style="list-style-type: none"> <li>● Individual and group counseling sessions to help students overcome issues impeding achievement or success</li> <li>● School-wide prevention activities</li> <li>● Crisis counseling and consultation</li> <li>● Suicide awareness and screenings</li> </ul> <p>Note: School counselors do not provide long-term counseling/therapy in schools. They may provide short-term intervention and make appropriate referrals to community resources.</p>	<p>Guidance Curriculum Action Plan</p> <p>Small Group Action Plan</p> <p>Closing the Gap Action Plan</p> <p>Data Collection and Analysis (Process, Perception, Outcome)</p> <p>Annual School Counseling Program Results Report</p>		
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<p><b>Appropriate School Counseling Duties for Program Support (20%)</b></p>	<p>School Counselors will follow the NCDPI/SBE approved School Counselor Job Description, spending 80% of their work time in the delivery of student support services with 20% of their work time spent in comprehensive school counseling program support activities.</p> <p>School Counselors will analyze the results of the school counseling and share outcomes with and share outcomes with stakeholders</p>	<p><b><u>Implement Program Support through</u></b></p> <ul style="list-style-type: none"> <li>● Leadership and advocacy to improve student outcomes</li> <li>● Referrals – directing parents and students to school/community resources for additional support</li> <li>● Consultation – share strategies to support student achievement with teachers, parents, other educators             <ul style="list-style-type: none"> <li>– Collegial Consultation</li> <li>– Professional Learning</li> <li>– Communities</li> </ul> </li> <li>● Collaboration with school staff, parents, businesses and community organizations</li> <li>● Advisory councils</li> <li>● Staff In-service training</li> <li>● Professional Development</li> </ul> <p><b><u>Program Management</u></b></p> <p>Data use &amp; analysis</p> <ul style="list-style-type: none"> <li>● Analyze relevant school-wide data relevant to develop school counseling program goals and action plans to include curriculum, small group and closing the gap action plans</li> <li>● Interpreting student data</li> <li>● Identify student needs</li> <li>● Plan Program</li> <li>● Evaluate Program for continuous improvement growth</li> </ul> <p><b><u>Provide Fair Share Duties</u></b></p> <p>Duties of which all school staff participate equitably, as allowed by the law, to support the total operation of the school.</p>	<p>Annual Agreement</p> <p>Program Assessment</p> <p>Action Plans</p> <p>Outcome /Results Reports</p> <p>School Data</p> <p>Meeting Agendas</p> <p>Professional Development Artifacts</p>	<p>NCDPI Consultant</p> <p>District and Building-level administrators</p> <p>School Counselors</p>	<p>To be determined locally</p> <p>Annually</p>
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<p><b>Suggested Strategies to consider for test coordination duties</b></p>	<p>Identify most appropriate person(s) to coordinate testing program in each school, according to state testing guidelines.</p>	<ul style="list-style-type: none"> <li>● Provide education to the LEAs on the impact of law and appropriate and inappropriate role of counselors in testing</li> <li>● Provide education and awareness for counselors regarding appropriate and inappropriate roles in testing</li> <li>● Provide examples from LEAs of possible staff to consider for the test coordinator position</li> <li>● Below are examples from LEAs of staff that are currently being used as Test Coordinators (prior to the legislation)             <ul style="list-style-type: none"> <li>– Assistant Principal</li> <li>– Teachers w/ reduced class loads</li> <li>– Contracted test coordinators</li> <li>– Title One Personnel</li> <li>– Instructional Facilitators</li> <li>– Distance Learning Facilitators</li> <li>– Non-Certified Staff with exceptional organizational skills</li> </ul> </li> <li>● Multidisciplinary Testing Team may be used to support the Testing Coordinator</li> <li>● Identify roles of testing team per the testing manual</li> <li>● Consider importance of administrators as testing coordinators with respect to the fidelity of Standard 6 of the Teacher Evaluation and to set and monitor appropriate testing environment and practices</li> </ul>	<p>Agendas, emails, other communications</p> <p>School and district Testing Plan</p>	<p>District Administrators</p> <p>Principals</p> <p>Assistant Principals</p> <p>Identified Multidisciplinary team members</p> <p>Testing Coordinator</p>	<p>To be determined locally</p> <p>Annually</p>
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<p><b>Appropriate Participation of School Counselors with Testing</b></p>	<p>School Counselors may collaborate to identify needs and remove barriers for student success in testing.</p>	<ul style="list-style-type: none"> <li>● Teach test taking strategies to parents, students, staff</li> <li>● Participate in fair share duties on test day(s)</li> <li>● Use advocacy and collaboration for creating developmentally appropriate individual student accommodation plans</li> <li>● Provide responsive services to disruptions or crises that may disrupt the testing environment(s)</li> <li>● Provide small group/ individual counseling services for students with barriers to testing (i.e. test anxiety)</li> <li>● Utilize test data for the development of the comprehensive school counseling program</li> <li>● Interpret test and assessment data for student advising with academic and career and college planning</li> </ul>	<p>School Counseling Program Annual Calendar</p> <p>School Counselor individual calendar</p> <p>Comprehensive School Counseling Plan</p> <p>Annual Agreement</p>	<p>District and Building-level administrators</p> <p>School Counselors</p>	<p>To be determined locally</p> <p>Annually</p>
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### Other Considerations

#### Funding for Positions

- Maintain positions for School Counselors/Social Workers and School Psychologists as a means to support the legislation on School Safety. This action allows students' socio-emotional needs to be addressed by the staff licensed in the school to provide these services and promotes school safety, student achievement and removes barriers to learning.
- Determine appropriate staff who may serve as a testing coordinator - consult the NC Testing Manual and Allotment Policy Manual.
- Follow Allotment Policy Manual information on PRC 007, found in the State Allotment Formula Section, which includes the wording below:

*“Provide funding for salaries for certified instructional support personnel to implement locally designed initiatives that provide services to students who are at risk of school failure as well as the students' families. It is the intent of the General Assembly that the positions must be used first for counselors, then for social workers and other instructional support personnel that have a direct instructional relationship to students or teachers to help reduce violence in the public schools. They shall not be used as administrators, coordinators, supervisors, or directors.”*

- Human Resource Administrators and School Business/Finance Administrators can assist LEAs to assure policies for funding positions are fully understood, especially the negative impact on experience credit for certified staff who may be employed in a position that is funded partially from both the certified budget position code and non-certified budget position code. Clarify the use of funds between funding codes and appropriate position allotment processes.
- Consider importance of administrators as designated school-wide testing coordinators with respect to the fidelity of Standard 6 of the NC Teacher Evaluation and to set appropriate testing environment.
- Review funding within existing resources. Also, explore other possible funding sources to create local funding as stipends for test coordinators.



## **Guidelines to Implement G.S. §115C-316.1 (Duties of School Counselors)**

### School Counselors use Flexible Schedules for Optimum Performance

Use caution when assigning school counselors to a fixed schedule versus a more flexible schedule that allows for school counselors to plan and respond to student needs based on data-driven decisions and unexpected crises. Often, a fixed schedule prohibits the effective delivery of the comprehensive school counseling program and may hinder collaboration with teacher Professional Learning Communities and the capacity to address student issues that affect school safety. Having a school counselor not be available to address student needs may also result in a potential liability issue should the need escalate into a critical incident for that student or other students such as suicide or injurious aggression. (Ex: School counselors being part of the master schedule/specials rotation to provide duty-free planning for teachers)

### Communication with the NC Graduate Programs for School Counseling

The minimum level of education for NC licensure in school counseling is a Masters of Education in School Counseling. In order for school counselors who are entering new positions to be fully knowledgeable of the role and duties of school counselors per G.S. §115C-316.1, clarifying the “Duties of School Counselors,” it is important that university graduate programs incorporate this information in their education curriculum.

## Guidelines to Implement G.S. §115C-316.1 (Duties of School Counselors)

### Frequently Asked Questions

The following questions were raised by LEAs during the planning process. The State Board of Education Attorney and the NCDPI School Business Finance Division were consulted with responses below:

1. To what types of schools does this law apply?
  - a. *Only regular coded LEAs – Charter Schools and specialized schools (NC School for the Deaf, etc.) are not included*
  
2. May the 20% of school counseling program support include test coordination duties?
  - a. *Do not send school counselors to test coordinator training. They may not serve as a test coordinator or back-up test coordinator. However, school counselors may participate with “fair share” duties to administer the tests as other certified staff members participate, as long as **they do not have the test coordination responsibilities.***
  
3. Can LEAs split school counseling positions where it is a half-time school counselor position and half-time instructional coach to serve as a test coordinator?
  - a. *LEAs may not split a school counselor position to have the other half as a test coordinator, because this type of action ends up circumventing the intent of the law. However, the LEAs can take an instructional support position and convert the position into dollars and use for non-instructional support. Please note per the NCDPI School Business Finance Division, this action means the position will be on a different pay scale. Also, if the individual holds a NC Professional Teaching License, the individual coded to this position does not receive educator experience credit.*

Please contact Cynthia Floyd, Consultant for School Counseling, at [cynthia.floyd@dpi.nc.gov](mailto:cynthia.floyd@dpi.nc.gov) if you have any questions.