

**NEW YORK STATE EDUCATION DEPARTMENT**  
**Proposed Amendments to**  
**Commissioner’s Regulations on School Counseling**  
**Guidance Document - March 2016**

**Background**

Commissioner’s Regulations on school counseling have not been revised in decades, dating as far back as the 1970s. An update based on national standards was needed to bring New York State’s regulations into the 21st Century by more clearly defining the role of school counselors P-12, developing a comprehensive school counseling program approach in schools and aligning the preparation programs at the higher education level with the work and responsibilities in P-12. In October of 2013, the Board of Regents directed the Department to create a School Counselor Advisory Council (SCAC) and to survey school counseling professionals, and to come back to the Board at a future meeting with recommendations to improve both school counseling programs in schools and school counseling preparation programs.

The Department established the SCAC and held its first meeting in February of 2014. The SCAC comprises eight school counselors in P-12 from across the State, and eight representatives from school counselor preparation programs in New York State Institutes of Higher Education. In addition, membership included representatives from the New York State United Teachers and United Federation of Teachers (see Attachment A). The SCAC has been co-chaired by the Assistant Commissioner for P-12 Office of Student Support Services and the Executive Director for the Office of Postsecondary Access, Support and Success within the Office of Higher Education.

In April 2014, the Department also held its first School Counseling Summit in Albany, New York for 250 school counseling experts from across the State and nation. The purpose of the Summit was to gather input from experts to help guide the Department in improving school counseling programs in P-12 and school counselor preparation programs in higher education institutions. In addition, the Department conducted two surveys to gather input from school counselors and administrators in schools across the State and from school counselor preparation programs in Institutes of Higher Education within New York State.

Lastly, Department staff reviewed the literature issued jointly by the national associations that represent school counselors, school social workers and school psychologists (see Attachment B). Permanently certified School social workers are licensed mental health professionals with expertise in assessment, individual and group counseling, and crisis intervention. Their systems approach provides a pivotal link between school, home, and community-based supports. Permanently certified School psychologists address system-wide behavior using varied models and methods of assessment, evaluation, counseling techniques, and behavioral interventions to identify [student’s] system needs and develop data-driven services and programs. School psychologists are key members of committees that design appropriate interventions and identify the needs for special services. Together, this team of highly-qualified professionals – school social workers, school psychologists, school counselors and teaching staff — help develop strategies to enable students to overcome individual barriers to learning. The presence of each of these personnel, and improved student access to the assistance they provide, are essential to ensuring school and student success<sup>[1]</sup>.

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<sup>[1]</sup> Joint Briefing Paper from the National Association of School Psychologists, School Social Work Association of America and the American School Counselor Association, *Effective School Staffing Model: Teaming School Counselors, School Psychologists, and School Social Workers*.

After gathering and analyzing information from over 3,000 school counseling professionals and school administrators across the State and the nation, the Department proposed several amendments to the Commissioner's regulations — Sections 52.21, Part 80 and 100.2(j). The SCAC was instrumental in helping guide this work and formulating the proposed amendments.

### **Status Update on the Proposed Regulations**

In September 2015 at the Joint P-12 Education and Higher Education Committee, the Department proposed to the Board of Regents amendments to Commissioner's regulations on school counseling — Sections 52.21, Part 80 and 100.2(j) — which include certification requirements for school counselors, program registration requirements for school counseling preparation programs, and the development of comprehensive school counseling programs in schools.

After the Board of Regents discussion at the September meeting, the Department received feedback on the proposed regulations, both verbal and written. As a result, the Department continued its internal discussions to determine if, and what, revisions should be made to the proposed amendment before filing it with the Department of State. Finally, the Department determined that the September 2015 version of the proposed amendment (which was discussed by the Board of Regents but not adopted), should be filed with the Department of State, to allow the public to provide comment on the regulation before any additional revisions were recommended.

The proposed amendments to the school counseling regulations were published by the Department of State in the State Register on February 10, 2016, which began the 45-day public comment period. The public comment period expires on March 28, 2016,

### **Highlights of the Proposed Regulations**

The Department began the regulatory updates by defining the comprehensive role of the school counselor. School Counselors are certified professionals who are uniquely qualified to address the developmental needs of all students through a comprehensive school counseling program designed to address the academic, career and personal/social development of all students. School Counselors are trained to provide a combination of preventive and supportive services for all students from prekindergarten through 12th grade, in the academic, social/emotional, and college/career domains by working collaboratively with administrators, teachers, school social workers, school psychologists, nurses, parents and community members. Through individual, group and classroom activities, school counselors monitor the development of academic and social/emotional skills of each student by developing personalized educational and career plans to ensure current and future success.

One of the amendments to the regulations is the change in title from Guidance Counselor to School Counselor to align with the change in the certification title. However, job titles for employment purposes are locally determined and the regulation is not intended to override those determinations. For the purposes of this regulation, there is no implied difference between the job title of "school counselor" and "guidance counselor."

#### *Highlights of the proposed amendments to 100.2(j):*

- The goal of the district, to the extent practicable, should consider nationally- recognized standards for student to school counselor ratios;
- Change the title "Guidance Counselor" to "School Counselor" to align with the school counselor certification title;

- Change the word “guidance” program to “school counseling program” also to align with nationally-recognized terminology;
- Students in grades P-6 will be added to the existing requirement for annual progress reviews for each student grades 7-12 reflecting educational progress and career plans. However, the regulation provides districts with flexibility to provide progress reviews for students in P-6 individually *or through small groups*; and
- Comprehensive school counseling plans should continue to be updated annually and available on the district website.

*Highlights of the proposed amendments to Part 80-3.11 Certification:*

On or after September 2, 2021: Candidates seeking an initial school counselor certificate must:

- complete a NYSED approved graduate school counselor program (minimum of 48 semester hours) or complete 48 semester hours of graduate school counseling coursework in six core areas and the subareas for these core areas;
- complete a 100-hour practicum and a 600-hour internship as described in section 52.21 (d);
- take and receive a satisfactory passing score on a NYSED approved certification exam, if available

*Highlights of the proposed amendments to Part 80-3.11 Certification:*

On or after September 2, 2021: Candidates seeking a professional school counselor certificate must:

- complete a school counselor program registered by the Department pursuant to section 52.21 (d);
- or complete a minimum of 60 semester hours of graduate study acceptable to the Department in each of the eight core areas and the subareas;
- earn a master’s degree in school counseling;
- meet requirements described for an initial certificate and will be required to satisfactorily complete three years of experience as a school counselor

*Highlights of the proposed amendments to Part 52.21 (d) Program Registration:*

By September 1, 2018, school counseling programs leading to:

- Initial certificate - provide a minimum of 48 semester hours of graduate study in an approved school counseling program and in six core areas, and the subareas for these core content areas
- Professional certificate - provide a minimum of 12 additional semester hours in two other core areas of graduate study in an approved certificate of advance study

*Highlights of the proposed amendments to Part 52.21 (d) Program Registration:*

By September 1, 2018, school counseling programs leading to:

- Initial/ professional certificate - provide a minimum of 60 semester hours of graduate study in an approved school counseling program which leads to a master’s or higher degree and in the eight core areas following order of the 48 and 12 credit registered programs

## **Summary**

While strengthening and defining the role of the school counselor, these proposed regulations are not intended to change the role of the school counselor nor diminish the important role of other pupil personnel service providers, such as school social workers or school psychologists. The school counselor cannot effectively support students without the supports and services of school social workers and school psychologists as well as the teaching staff and administrators. The school counselor’s role is central, functioning as triage in crisis situations by using his/her counseling skills to address situations when necessary, and provide referrals for students who require the specialized

interventions of school social workers, school psychologists or other professionals in the school when appropriate.

The New York State Education Department believes that the proposed school counseling regulations will help to increase opportunities for all students to be successful. In order to accomplish this goal, it is critical that the Department hear from all parties and receive input during the 45-day comment period by writing to [regcomments@nysed.gov](mailto:regcomments@nysed.gov) by March 28, 2016. It is important for students to have access to a certified or licensed school counselor in the early years to help inspire our young students to strive for success and consider college and career opportunities. It is equally important to emphasize the collaborative team approach among school social workers, school psychologists, school counselors, nurses, teaching staff, and parents focusing on their respective professional expertise to support the “whole child” and to help promote the success of all students.

**School Counselor Advisory Council Members**

Raymond Bryant	Retired Superintendent
Stuart Chen-Hayes	CUNY Lehman College
Jessica Cooper	Mount Markham Middle School
Christine Curcio	St. John's Prep
Barbara Donnellan	Lindenhurst High School
Ann Hall	Middletown High School
Deborah Hardy	Somers School District
Lois Herrera	NYC Department of Education
Julie Hogan	SUNY Plattsburgh
Gloria Jean	College of St. Rose
Andrew Livanis	Long Island University
John Mrozek	Hamburg Central School District
Summer Reiner	SUNY Brockport
Kent Rinehart	Marist College
David Rothfuss	NYS United Teachers
Bonnie Rubenstein	University of Rochester
Vanessa Sparks	NYC Department of Education
Rosemary Thompson	United Federation of Teachers
Cynthia Walley	CUNY Hunter
Martha Younger	Buffalo Public School District



School Social Work  
Association of America

## **Effective School Staffing Model: Teaming School Counselors, School Psychologists, and School Social Workers**

The American School Counselor Association (ASCA), the National Association of School Psychologists (NASP), and the School Social Work Association of America (SSWAA) support the mission of all schools to help students reach their fullest potential so they may become contributing members of society. To accomplish this mission, schools must ensure every student has access to a rigorous curriculum and a team of highly qualified professionals such as effective teachers and strong school leaders who can help create safe and supportive school environments. Essential components to the educational team are school counselors, school psychologists, and school social workers who help students overcome individual barriers to learning. The presence of each of these personnel, and improved student access to the assistance they provide, are essential to ensuring school and student success.

ASCA, NASP, and SSWAA understand there are real challenges in providing students with the access to assistance they need. Budgetary constraints, local site management, cultural and community norms, personnel shortages in certain geographical areas, and confusion about professional roles may have an impact on local school district and state policies and hiring configurations. Because we acknowledge that the ideal staffing model may not always be achievable currently, ASCA, NASP, and SSWAA have established a strong working relationship through which we advocate together for shared policy priorities and a larger federal investment to support increased numbers of school counseling and mental health professionals.

One example of successful collaboration and advocacy is the Framework for Safe and Successful Schools, endorsed by over 100 organizations and scholars. This policy document stresses the importance of the supports and services that school counselors, school psychologists, and school social workers provide collectively, while highlighting the specific and unique skill set of each profession. We strongly encourage you to use this document to strengthen these best practices in your state and local school districts.

The national organizations collectively will continue to promote the unique roles of school counselors, school psychologists, and school social workers and will support state and local affiliate efforts toward appropriate hiring models that recognize the role and importance of each of these professionals.

ASCA supports school counselors' efforts to help students focus on academic, career and social/emotional development so they achieve success in schools and are prepared to lead fulfilling lives as responsible members of society. ASCA provides professional development, publications and other resources, research and advocacy to professional school counselors around the globe.

NASP represents more than 25,000 school psychologists who work with students, educators, and families to support the academic achievement, positive behavior, and mental health of all students. School psychologists work with parents and educators to help shape individual and system-wide supports that provide the necessary prevention, early identification, and intervention services to ensure that all students have access to the mental health, social-emotional, behavioral, and academic supports they need to be successful in school.

SSWAA promotes the profession of school social work to enhance the educational experience of students and their families. SSWAA offers continuing professional development, supports best practices through research and evaluation, and maintains a strong public policy and advocacy presence. SSWAA supports social workers in creating linkages among schools, families, and communities to address barriers to student success and in serving the mental health needs of children and their families through early identification, prevention, intervention, counseling and support.