AN ACT TO PROVIDE AN ALLOTMENT OF FUNDS UNDER THE ADEQUATE
EDUCATION PROGRAM FOR THE PURPOSE OF EMPLOYING ELEMENTARY SCHOOL
COUNSELORS; TO REQUIRE SUCH FUNDS TO BE ALLOCATED TO THOSE SCHOOL
DISTRICTS HAVING THE HIGHEST DOCUMENTED NEED FOR COUNSELORS; TO
PROVIDE AN ADDITIONAL ALLOTMENT OF FUNDS IN EACH SUBSEQUENT FISCAL
YEAR UNTIL EACH ELEMENTARY SCHOOL HAS EMPLOYED AT LEAST ONE
COUNSELOR; TO AUTHORIZE LOCAL SCHOOL BOARDS TO ASSIGN SCHOOL
COUNSELORS TO PARTICULAR ELEMENTARY SCHOOLS; TO AUTHORIZE THE
STATE DEPARTMENT OF EDUCATION TO EMPLOY A SUPERVISOR OF COUNSELORS
AND TO ISSUE REGULATIONS REGARDING THE SERVICES OF SUCH
COUNSELORS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) Beginning with the 2003-2004 school year, in
addition to other funds allotted under the adequate education
program, each school district shall be allotted sufficient funding
to employ one (1) elementary school counselor, with funding for an
additional elementary school counselor to be allotted per fiscal
year until each elementary school in the school district has one
(1) state-funded counselor. If sufficient funding is not
appropriated for each school district to employ an elementary
school counselor, the State Department of Education shall allocate
such funds to those school districts accredited at Level 1, 2 or 3
which have the greatest need for counselors, as determined by
records of the department and Division of Youth Services of the
Department of Human Services which reflect those school districts
having the highest incidences of crime and violence, free lunch
participation and dropouts. Until the time that there is a
counselor in every elementary school at a counselor:student ratio
of 1:500 or greater, the annual appropriation for elementary
counselors may not be reduced.
(2) The State Department of Education may increase the number of positions funded each year beyond the above requirements as money is made available.

(3) The assignment of the school counselors to the particular elementary schools is at the discretion of the local school district, with the following restrictions:

(a) The counselor:student ratio may be no less than 1:500, or one (1) counselor per school building, whichever is greater.

(b) No individual may be employed as an elementary school counselor without appropriate training and certification as a school counselor by the State Department of Education.

(4) To qualify for minimum program funding, school counselors must be full-time professional personnel, spend at least seventy-five percent (75%) of work time in a direct counseling relationship with pupils, and must devote no more than one-fourth (1/4) of the work day to administrative activities that are counselor related.

(5) This act does not prohibit any school district from employing with local funds more elementary school counselors than are provided for in this act.

(6) The State Department of Education shall employ a supervisor of counselors who holds certification as a school counselor. The supervisor's responsibilities must include the oversight of the new elementary counseling programs as well as existing secondary programs.

(7) The State Department of Education may adopt rules and regulations regarding the activities of the school counselor, and the school counselor may perform such services that are not inconsistent with the rules and regulations.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.