

By: Representative Clarke

To: Education;  
Appropriations

HOUSE BILL NO. 287

1 AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION, ACTING  
2 JOINTLY WITH THE STATE BOARD OF HEALTH AND THE MISSISSIPPI  
3 DEPARTMENT OF HUMAN SERVICES, TO ESTABLISH A PROFESSIONAL SCHOOL  
4 COUNSELORS PILOT PROGRAM; TO REQUIRE THE STATE DEPARTMENT OF  
5 EDUCATION, THE STATE DEPARTMENT OF HEALTH AND THE MISSISSIPPI  
6 DEPARTMENT OF HUMAN SERVICES TO DETERMINE THE SCHOOL DISTRICTS IN  
7 WHICH THE PILOT PROGRAM WILL BE IMPLEMENTED; TO REQUIRE THE STATE  
8 DEPARTMENT OF EDUCATION, THE STATE DEPARTMENT OF HEALTH AND THE  
9 MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO EVALUATE THE  
10 EFFECTIVENESS OF THE PILOT PROGRAM; TO PROHIBIT ANY EFFORT TO  
11 COUNSEL THAT ABORTION CAN BE USED TO PREVENT THE BIRTH OF A BABY;  
12 TO REQUIRE THE STATE DEPARTMENT OF EDUCATION, WITH THE INPUT OF  
13 THE STATE DEPARTMENT OF HEALTH AND THE MISSISSIPPI DEPARTMENT OF  
14 HUMAN SERVICES, TO SUBMIT A REPORT ON THE PILOT PROGRAM TO THE  
15 CHAIRMEN OF CERTAIN LEGISLATIVE COMMITTEES BEFORE JANUARY 1, 2022;  
16 TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
17 TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** (1) (a) The State Board of Education shall  
20 establish and implement a professional school counselors pilot  
21 program to provide comprehensive counseling services as required  
22 under Section 37-9-79, in certain school districts with high  
23 incidences of teenage pregnancy and school violence in the State  
24 of Mississippi.



25           (b) The purpose of the pilot program shall be to  
26 evidence the effectiveness of the services provided by  
27 professional school counselors in personal and social counseling,  
28 crisis intervention and prevention, conflict resolution and  
29 educational and career counseling in schools and school districts  
30 with counselors on staff, as opposed to those schools and school  
31 districts without counselors on staff.

32           (2) (a) The State Department of Education, acting jointly  
33 with the State Department of Health and the Mississippi Department  
34 of Human Services, shall analyze all data available to each  
35 department to select three (3) school districts throughout the  
36 state with high incidences of teenage pregnancy or high incidences  
37 of school violence to determine which districts would be impacted  
38 most positively by the professional school counselors pilot  
39 program.

40           (b) In making the selection, the departments shall  
41 identify those school districts having the highest incidences of  
42 teen pregnancies and school violence among students and shall  
43 consider other appropriate factors including, but not necessarily  
44 limited to, each school district's: dropout rate; the number of  
45 the students placed in the alternative school setting; urban or  
46 rural nature; geographical location; demographic profile; and  
47 state accreditation level.

48           (3) The professional school counselors pilot program shall  
49 be a four-year program and will be implemented in those school



50 districts selected for participation in the program in the  
51 2018-2019 school year. The program will be continued in the same  
52 school districts during the 2019-2020, 2020-2021 and 2021-2022  
53 school years. For the duration of the pilot program, the school  
54 district shall place a minimum of one (1) professional school  
55 counselor in each school in the district.

56 (4) At the end of each school year, the State Department of  
57 Education, the State Department of Health and the Mississippi  
58 Department of Human Services shall evaluate the effectiveness of  
59 the presence and availability of professional school counselors in  
60 each school in reducing the rates of teen pregnancy or school  
61 violence.

62 (5) It shall be the responsibility of professional school  
63 counselors employed by local school districts implementing the  
64 pilot program to carry out the functions of those strategies to  
65 promote consistency in the administration of the program and the  
66 provisions of Section 37-9-79.

67 (6) The State Board of Education, in overseeing the  
68 administration of the professional school counselors pilot program  
69 in those select school districts implementing the program and  
70 strategies developed by the State Department of Education, the  
71 State Department of Health and the Mississippi Department of Human  
72 Services under this section, shall prohibit any effort of a  
73 counselor to counsel students that abortion can be used to prevent  
74 the birth of a baby.



75 (7) Before January 1, 2022, the State Department of  
76 Education, after consultation with the State Department of Health  
77 and the Mississippi Department of Human Services, shall submit a  
78 report to the Chairmen of the House and Senate Education  
79 Committees, the House Public Health and Human Services Committee  
80 and the Senate Public Health and Welfare Committee on the results  
81 of the professional school counselors pilot program. The report  
82 must include comparative data on the numbers of pregnancies and  
83 incidences of school violence among students in the participating  
84 school districts before and during each year of the pilot program.  
85 The report also must include a recommendation on whether or not  
86 the professional school counselors pilot program should be  
87 implemented on a permanent basis in all or certain school  
88 districts of the state.

89 **SECTION 2.** Section 37-9-79, Mississippi Code of 1972, is  
90 amended as follows:

91 37-9-79. (1) Beginning with the 2014-2015 school year, the  
92 assignment of K-12 Professional School Counselors to the  
93 particular schools within the district shall be at the discretion  
94 of the local school board with the following restrictions:

95 (a) No individual shall be employed as a professional  
96 school counselor without a minimum of a Master's Degree in  
97 Guidance and Counseling, or in an emergency situation, an  
98 appropriate certification as determined by the Commission on



99 Teacher and Administrator Education, Certification and Licensure  
100 and Development; and

101 (b) Professional school counselors shall provide the  
102 following comprehensive counseling services:

103 (i) Academic and personal/social counseling;

104 (ii) Use multiple student data sources to help  
105 students make informed academic and career choices;

106 (iii) Career and educational counseling;

107 (iv) Individual and group counseling

108 (large/small);

109 (v) Crisis intervention and preventive counseling;

110 (vi) Referrals to community agencies;

111 (vii) Educational consultations and collaboration  
112 with teachers, administrators, parents and community leaders;

113 (viii) Educational and career placement services;

114 (ix) Follow-up counseling services;

115 (x) Conflict resolution; and

116 (xi) Professional school counselors must spend a  
117 minimum of eighty percent (80%) of their contractual time to the

118 delivery of services to students as outlined by the American

119 School Counselor Association. Delivery of services is the direct

120 service provided to students, parents, school staff and the

121 community which are interaction between professional school

122 counselors and students. These direct services may include the

123 delivery of the following:



124                   1. School counseling core curriculum: This  
125 curriculum is designed to help students attain the desired  
126 competencies and to provide all students with the knowledge,  
127 attitudes and skills appropriate for their developmental level.  
128 The school counseling core curriculum is delivered throughout the  
129 school's overall curriculum and may be presented by professional  
130 school counselors in collaboration with other professional  
131 educators and other resources. Collaborative efforts may be  
132 implemented to enhance the services provided.

133                   2. Individual student planning: Professional  
134 school counselors coordinate ongoing systemic activities or  
135 individual/group sessions designed to assist students in  
136 establishing personal/social goals and developing future career  
137 plans.

138                   3. Responsive services: Responsive services  
139 are designed to meet students' immediate needs and concerns in  
140 regard to social/personal issues. Responsive services may include  
141 counseling in individual, small-group settings, or crisis  
142 responses.

143                   4. Indirect Student Services: Indirect  
144 services are provided on behalf of students as a result of the  
145 school counselors' interactions with others including referrals  
146 for additional assistance, consultation and collaboration with  
147 parents, teachers, other educators and community organizations.



148 (2) Professional school counselors shall abide by the  
149 American School Counselor Association Code of Ethics.

150 (3) The State Department of Education may adopt regulations  
151 regarding the activities of the professional school counselor as  
152 are not inconsistent with this section.

153 (4) Professional school counselors employed by school  
154 districts implementing the pilot program authorized under Section  
155 1 of this act, shall adhere to minimum qualification requirements  
156 of this section, and shall carry out those functions implemented  
157 under the pilot program developed by the State Department of  
158 Education, the State Department of Health and the Mississippi  
159 Department of Human Services.

160 **SECTION 3.** This act shall take effect and be in force from  
161 and after its passage.

