



**TO:** Higher Education Committee  
P-12 Education Committee

**FROM:** John L. D'Agati *John L. D'Agati*  
Charles A. Szuberla, Jr. *Charles A. Szuberla Jr.*

**SUBJECT:** Update on Proposed Amendments to Sections 52.21 and 100.2(j) and Part 80 of the Commissioner's Regulations Relating to School Counseling, Certification Requirements for School Counselors and Program Registration Requirements for School Counseling Preparation Programs

**DATE:** September 8, 2015

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**SUMMARY**

**Issue for Discussion**

Should the Board of Regents amend Sections 52.21, Part 80 and 100.2(j) of the Commissioner's Regulations relating to school counseling, certification requirements for school counselors and program registration requirements for school counseling preparation programs?

**Reason(s) for Consideration**

Policy consideration.

## **Proposed Handling**

The proposed amendment will be presented at a joint meeting of the Higher Education and P-12 Education Committees for discussion at the September 2015 Regents meeting. A copy of the proposed amendment is attached. A Notice of Proposed Rule Making will be published in the State Register on October 7, 2015. Supporting materials are available upon request to the Board of Regents.

## **Background Information**

In October 2013, the P-12 Office of Student Support Services (P-12) and the Office of Higher Education (OHE) came before the Board with a discussion item relating to the current requirements for school counselors. The item focused on a range of issues regarding the preparation of school counselors and the work and responsibilities of school counselors. As a result, the Board recommended that the Department create an advisory council and survey school counseling professionals.

The Department created a 16 member School Counselor Advisory Council (SCAC), comprised of 8 school counselors from across New York State and 8 representatives from school counselor preparation programs. In addition, membership included two New York State United Teachers representatives, and one United Federation of Teachers representative. The SCAC has been co-chaired by Renee Rider, Assistant Commissioner for P-12 Office of Student Support Services and Stanley Hansen, Executive Director for the Office of Postsecondary Access, Support and Success within the Office of Higher Education.

The first meeting of the SCAC was convened in February 2014 to recommend improvements to both school counseling preparation programs throughout New York State, as addressed in Commissioner's Regulations §80-2.3(b), and current comprehensive school guidance plans as addressed in Commissioner's Regulations §100.2(j). Two SCAC workgroups, one representing the P-12 community and another representing the higher education (HE) community, were established to focus on the following specific projects:

1. P-12 workgroup: Develop recommendations incorporating updated language and specific requirements for developing a comprehensive, developmentally appropriate school counseling program for each student attending a New York State public school; and
2. HE workgroup: Develop recommendations for improving the preparation of school counselors, including:
  - Practicum/Internship
  - Faculty Qualifications
  - Ethics
  - Accreditation

- Technology
- Capstone
- Qualities and Characteristics of School Counselors
- Credit hour requirements and coursework

The P-12 and the HE workgroups also created surveys which were distributed to P-12 and higher education practitioners. The survey results were compiled and analyzed by the Department and presented to the Board at its December 2014 meeting. In addition to the survey results, Department staff also presented to the Board a summary of the recommendations compiled from the New York State School Counselor Summit that was held in April 2014 in collaboration with the NYS School Counselor Association, New York State Association for College Admissions Counseling, and the New York Association of Counselor Education and Supervision. The event provided an opportunity for over 200 practitioners to identify issues that both have promoted and impeded the development of effective, comprehensive, data-driven, standards-based practices, and to advance recommendations to implement best practices and enhance leadership.

In February 2015, the Council met to review the P-12 and HE workgroups' recommendations for regulatory revisions to the Department. SCAC members also reviewed and provided comments on a draft memo which was finalized and sent in April 2015 to the deans and department chairs overseeing school counseling programs and which included a list of the recommendations created by the SCAC as well as an invitation to offer feedback about the recommendations using an anonymous survey. OHE staff reviewed the feedback, made final adjustments and incorporated it into the recommended regulatory revisions.

### **Current Status**

One of the critical roles of school counselors is to help move students toward college and career readiness. Recent studies have found that high achieving students from low-income families are often unfamiliar with the higher education enrollment process and find little support from the school counselor due, in many cases, to "caseloads" far exceeding the American School Counselor Association's (ASCA) recommended one counselor for every 100-250 students. New York State currently has on average one school counselor for every 418 students. Some other large states have similar ratios. For example, Massachusetts has 428, Texas 469, and Florida 488. However, other states such as California and Arizona have ratios of over 800 students to 1 counselor.

An increasing number of counselors and national advocates prefer the term "school counselor" to the term "guidance counselor." The growing trend is in response to counselors' desire to be seen as professionals in an increasingly complex system, and their ability to work fluidly with all aspects within the system. The expected duties are more extensive than those practiced by vocational guidance counselors of the past, hence the feeling of many school counselors that the name of the profession should

reflect its expanded roles. Just as “shop teachers” changed to “technology teachers,” and “Home Economics” changed to “Family and Consumer Science,” so “guidance counselor” should be changed to “school counselor” to reflect the changing roles and curricula.

In elementary schools, school counselors typically spend their time with children individually, in small groups, or in classrooms, thus having some connection with every student in the school. In a comprehensive school counseling program, the elementary school counselor has a working relationship with students' families and with community health and human services agencies. Although the roles of school counselors vary among settings, common tasks include individual counseling, small group counseling, large group or classroom presentations, involvement in school-wide behavior plans for promoting positive and extinguishing negative behaviors, and consulting with teachers, parents, and the community. Additional duties might include developing classroom management plans or behavior plans for individual students, such as conducting Student Support Team meetings, participating in Individual Education Plan meetings, etc.

Like elementary school counselors, the roles of middle and high school counselors vary depending on the district and the school administrators. Counselors deal with a vast array of student issues – personal, academic, social, and career. School administrators sometimes assign counselors such responsibilities as class scheduling, discipline, and administration. These tasks can be integrated with the goals of school counseling, but can also dilute the time available for helping individuals. School counselors have played an integral role in assisting students and school administrators at working with students to apply for and complete new and specialized programs, such as Career and Technical Education programs as well as Pathway model options. School counselors have the unique ability to take time with students to carefully explain college and career options and are a critical component to assisting students in becoming college, career, and citizen ready. Currently about half of elementary schools in New York State already have a school counselor even though current regulations only require school counselors for grades 7-12.

### **Proposed Regulations and Programmatic Changes**

The P-12 recommended regulatory revisions (see Attachment A) and the school counselor preparation programs recommended regulatory revisions (see Attachment B) have been crosswalked to illustrate the links between preparation and delivery of programs in a comprehensive school counseling program (see Attachment C for the crosswalk).

*P-12: Highlights of the recommended revisions to Section 100.2(j) of the Commissioner's Regulations*

- School counseling services shall be provided to all students in grades prekindergarten through twelve by certified school counselors (current regulations only require school counselors for students in grades 7-12).
- The ratio of student to school counselors, to the extent practicable, should conform to American School Counselor Association standards or other comparable national and/or New York State recognized standards.
- Provide all students in P-12 public schools with annual individual progress review plans reflecting each student’s educational progress and career plans conducted by certified school counselors.
- Comprehensive school counseling plans that are updated annually should be made available on the district website.
- Districts must establish a school counselor advisory council to review and advise the district on implementation issues relating to the comprehensive developmental school counseling program.
- For public school districts change the word “guidance” program to “school counseling program.”
- Use the title “School Counselor” rather than “Guidance Counselor.”

*OHE: Highlights of the recommended revisions to Part 52.21 of, and the addition of Part 80-3.11 to the Commissioner’s Regulations*

### Part 80-3.11 Certification

On or after September 2, 2021<sup>1</sup>:

- 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 each of the following six core areas as prescribed by the Commissioner in guidance:
  - Foundations in professional school counseling, including understanding the history and purpose/philosophy of, and the laws, policies, and regulations governing school counseling. School counselors engage in continuous professional growth and development, advocate for appropriate school counselor identity and roles, and adhere to ethical practices.
  - Best practices for the profession and in school counseling programming, including assessing, developing, implementing, leading, and evaluating a data-driven school counseling program that is comprehensive, utilizes best practices, and advances the mission of the school.
  - Supportive school climate and collaborative work with school, family and community, including collaborating with colleagues, families, and community

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<sup>1</sup> To avoid a systems issue with the effective dates of certifications, which takes place on September 1<sup>st</sup> of each year, September 2<sup>nd</sup> was selected as the best next option.

members to cultivate an inclusive, nurturing, and physically safe learning environment for students, staff, and families.

- Equity, advocacy and diversity in programming and in support of students, including understanding cultural contexts in a multicultural society, demonstrating fairness, equity and sensitivity to every student, and advocating for equitable access to instructional programs and activities.
- Child growth, development and student learning, including using knowledge of child development, individual differences, learning barriers, and pedagogy to contribute to and support student learning; and
- Group and individual counseling theories and techniques, including the use of a variety of research-based counseling approaches to provide prevention, intervention, and responsive services to meet the academic, personal, social and career needs of all students.

and complete a 100-hour practicum and a 600-hour internship as described in Section 52.21 (d).

- candidates seeking an initial school counselor certificate, in addition to the requirements listed above for the Initial certificate, must take and receive a satisfactory passing score on a NYSED approved certification exam, if available.
- candidates seeking a professional school counselor certificate must complete a school counselor program registered by the Department pursuant to Section 52.21 (d) of the Commissioner's Regulations or a minimum of 60 semester hours of graduate study (an additional 12 semester hours over the already obtained 48 semester hours).
- candidates seeking a professional school counselor certificate must meet the education, experience, and examination requirements described for an initial certificate and will be required to satisfactorily complete three years of experience as a school counselor. The candidate who completes this requirement in total or part through experience in New York public schools shall be required to participate in a mentored program in the first year of employment.

#### Part 52.21(d) Program Registration

- By September 1, 2018, institutions of higher education (IHEs) offering a school counseling preparation program leading to an initial certificate will be required to provide a minimum of 48 semester hours of graduate study in an approved school counseling program. The 48 hours of graduate study must be in each of the following six core areas, and the subareas for these core content areas, as prescribed by the Commissioner in guidance:
  - Foundations in professional school counseling
  - Best practices for the profession and in school counseling programming
  - Supportive school climate & collaborative work with school, family, and community

- Equity, advocacy and diversity in programming and in support for students.
  - Child growth, development, and student learning
  - Group and individual counseling theories and techniques for prevention, intervention, and responsive services
- By September 1, 2018, IHEs offering a school counseling preparation program leading to a professional certificate will be required to provide a minimum of 12 additional semester hours of graduate study in an approved certificate of advanced study. Only individuals who have completed a minimum of a 48 semester hour program in school counseling or its equivalent, and who hold a NYS initial certificate or meet the requirements for a NYS initial certificate in school counseling, will be admitted to a minimum 12-credit advanced certificate program in school counseling. The minimum of 12 semester hours of graduate study must be in at least each of the following two core areas and the subareas for these core areas, as prescribed by the Commissioner in guidance:
    - Career development and college readiness
    - Research and program evaluation
  - All 48 semester hour or higher school counseling preparation programs leading to initial certification or a master's degree must include a minimum of a 100-hour practicum and a 600-hour internship.
  - The supervised 100-hour P-12 school counseling practicum must be in a P-12 school counseling program setting and consist of 40 direct student service hours in group counseling, individual counseling, and school counseling core curriculum lesson delivery; and 60 indirect hours on developing, implementing, and/or evaluating school counseling program elements such as:
    - student outcomes and standards
    - curriculum
    - individual student needs and plans
    - responsive services
    - consultation with others on behalf of student
    - time management
    - school counseling program goals
    - data analysis
    - action plans
    - calendars/schedules
    - advisory panels, councils, and committees
  - The supervised 600-hour P-12 school counseling internship must be in a P-12 school counseling program setting and consist of 240 direct student service hours in group counseling, individual counseling, and school counseling core curriculum lesson delivery; and 360 hours of focus on developing, implementing, and evaluating school counseling program elements such as
    - student outcomes and standards
    - curriculum
    - individual student needs and plans

- responsive services
  - consultation with others on behalf of student
  - time management
  - school counseling program goals
  - data analysis
  - action plans
  - calendars/schedules
  - advisory panels, councils, and committees
- School counseling programs registered for the first time on or after September 1, 2018 leading to an initial and/or professional certificate under this subdivision shall be accredited by an acceptable professional education accrediting association, meaning an organization which is determined by the Department to have equivalent standards to the State’s registration standards within seven years of the date of their initial registration, and be continuously accredited thereafter by an acceptable professional education accrediting association.

## **Additional Information**

### Internship Certificates

Under the proposed amendment, candidates are eligible for an internship certificate when they have completed at least one half of the semester hour requirements in the program as described in Section 80-5.9.

### General Requirements

All of the general requirements for registered programs in Sections 52.1 and 52.2 of the Commissioner’s Regulations shall apply to school counseling programs in addition to the requirements in 52.21 (d). All other general requirements not addressed in 80-3.11 are required pursuant to 80-1 and 80-3.2.

### Technical Amendments

The proposed amendment makes technical amendments throughout Subpart 80-2 and Subpart 80-3 to reflect the changes above and to change the types of school counselor certificates issued on or after September 2, 2021 from “provisional” to “initial” and from “permanent” to “professional” (resulting in a shift from Section 80-2.3 to 80-3).

### Endorsement of Out-of-State Certificates

The proposed amendment adds a new section to the Commissioner’s Regulations to prescribe requirements for the endorsement of out-of-state initial and professional certificates; consistent with the new certification requirements for school counselors.



### Satisfaction of Education Requirements through Individual Evaluation

The proposed amendment adds a new Section 80-3.12 to the Commissioner's Regulations to prescribe requirements for meeting the education requirements through individual evaluation for candidates who seek to meet the educational requirements for an initial or professional certificate in school counseling without completion of a registered program; consistent with the new education requirements for registered programs.

### Time Validity

The initial certificate is valid for five years, subject to certain time extensions and renewals as described in Subpart 80-1 of the Commissioner's Regulations. The professional certificate is valid for life.

### Timetable for Implementation

It is anticipated that the proposed amendment will be adopted by the Board of Regents at its December meeting. If adopted at the December meeting, the proposed amendment will become effective on December 30, 2015.

**ATTACHMENT A**

**Comparison of Existing and Proposed Commissioner’s Regulations  
for Guidance Plans and School Counseling in Schools**

<b>Current Section 100.2(j)</b>	<b>Proposed Amended Section 100.2(j)</b>
<p><b>(j) Guidance programs.</b></p> <p>(1) Public schools. Public schools. Each school district shall have a guidance program for all students.</p> <p>(i) In grades K-6, the program shall be designed in coordination with the teaching staff to prepare students to participate effectively in their current and future educational programs, to help students who exhibit any attendance, academic, behavioral or adjustment problems, to educate students concerning avoidance of child sexual abuse, and to encourage parental involvement.</p> <p>(ii) In grades 7-12, the guidance program shall include the following activities or services:</p> <p>(a) an annual review of each student's educational progress and career plans, with such reviews to be conducted with each student individually or with small groups by personnel certified or licensed as school counselors;</p> <p>(b) instruction at each grade level to help students learn about various careers and about career planning skills conducted by personnel certified or licensed as school counselors, or by classroom teachers in cooperation with school counselors;</p> <p>(c) other advisory and individual or group counseling assistance to enable students to benefit from the curriculum, to help students develop and implement postsecondary education and career plans, to help students who exhibit any attendance, academic, behavioral or adjustment problems and to encourage parental involvement, provided that advisory assistance shall be provided by teachers or counselors, or by certified teaching</p>	<p><u>(j) Guidance programs and comprehensive developmental school counseling programs.</u></p> <p><u>(1) Guidance programs for public schools for school years prior to the 2017-2018 school year and for non-public schools...</u></p>

assistants under the supervision of counselors or teachers, and that such individual or group counseling assistance shall be provided by certified or licensed school counselors or by certified or licensed school psychologists or certified or licensed school social workers in cooperation with school counselors; and (d) the services of personnel certified or licensed as school counselors.

(iii) Each school district shall develop a district plan which sets forth the manner in which the district shall comply with the requirements of this subdivision. The City School District of the City of New York shall submit a separate plan for each community school district, for the High School Division and for the Special Education Division. Such plan shall be filed in the district offices and shall be available for review by any individual. The plan shall present program objectives, which describe expectations of what students will learn from the program; activities to accomplish the objectives; specification of staff members and other resources assigned to accomplish the objectives; and provisions for the annual assessment of program results. The plan shall be reviewed annually by the school districts, and revisions shall be made as necessary.

(2) Nonpublic schools. Nonpublic schools. Each nonpublic secondary school shall provide a guidance and counseling program for students in grades 7-12.

(2) Comprehensive development school counseling programs. Beginning with the 2017-2018 school year, each school district shall have a comprehensive developmental school counseling program, developed and provided by a certified school counselor, for all students in prekindergarten through grade 12. Each school district shall also ensure that all students in grades prekindergarten through twelve have access to a certified school counselor(s).

(i) For all grades prekindergarten through twelve, district and building level comprehensive developmental school counseling programs shall be designed to address multiple student competencies including career/college readiness

	<p>standards, and academic and social/emotional development standards recognized by the American School Counselor Association (The ASCA National Model: A Framework for School Counseling Programs, Third Edition, American School Counselor Association, Alexandria VA., [2012]; available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234) or other comparable national and/or New York State recognized standards. The comprehensive developmental school counseling program shall include the following activities or services:</p> <ul style="list-style-type: none"><li>(a) provide an annual individual progress review plan for each student, which shall reflect each student's educational progress and career plans. For students in grades prekindergarten through six, a progress review plan may be provided for each student individually or with small groups. Such plans shall be developed and reviewed by a certified school counselor(s) and for a student with disability, the plan shall be consistent with the student's individualized education plan;</li><li>(b) school counseling core curriculum instruction aimed at addressing student competencies related to career/college readiness, academic skills and social/emotional development by a certified school counselor(s);</li><li>(c) other direct student services which may include, but need not be limited to, responsive services, crisis response, group counseling, individual counseling, appraisal, assessment and advisement, for the purpose of enabling students to benefit from the curriculum, assisting students to develop and implement postsecondary education and career plans, assisting students who exhibit any attendance, academic, behavioral or adjustment problems and encouraging parental</li></ul>
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	<p>involvement, provided that such individual or group counseling assistance shall be provided by certified or licensed school counselors; and or by certified or licensed school psychologists or certified or licensed school social workers in cooperation with school counselors;</p> <p>(d) indirect student services which may include but need not be limited to, referrals, consultation, collaboration, leadership, advocacy, and teaming.</p> <p>(ii) Each school district shall develop district-wide and building-level comprehensive developmental school counseling plans which set forth the manner in which the district shall comply with the requirements of this subdivision. The New York City Department of Education shall submit separate plans for each community school district, for the High School Division and for the Special Education Division. Such district and building level plans shall be developed by or under the direction of a certified school counselor(s) and be updated annually, available for review at the district offices and each school building, and made available on the district's website.</p> <p>(a) Each plan shall be based upon a school counselor and building leader program agreement, which shall be developed annually and shall include program objectives, activities, program development and maintenance planning, school counseling curriculum and lesson plan development, professional development planning, evaluation methods based on data analysis of program results and closing the gap analysis reports to inform program improvement, and assessment of the resources necessary to support positive student outcomes.</p> <p>(b) Each plan shall also include the preparation of a program outcomes report that includes an analysis of all systematic components of a comprehensive developmental school counseling program</p>
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as defined by this subdivision. Such report shall be presented to the board of education annually.

(iii) Each school district shall establish a comprehensive developmental school counseling program advisory council to be comprised of representative stakeholders (such as parents, members of the board of education, school building and/or district leaders, community-based service providers, teachers, certified school counselors and other pupil personnel service providers in the district [e.g. school social workers and/or school psychologists]). The advisory council shall meet no less than twice a year for the purpose of reviewing the comprehensive developmental school counseling program plan and advising on the implementation of the school counseling program. The advisory council shall create and submit an annual report to the board of education.

(iv) A successful comprehensive school counseling program should, to the extent practicable, use ratios for certified school counselors to students that conform to the American School Counselor Association standards (The ASCA National Model: A Framework for School Counseling Programs, Third Edition, American School Counselor Association, Alexandria VA., [2012]; available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234) or other comparable national and/or New York State recognized standards and shall take into consideration:

(a) The requirements of delivering a comprehensive program to a particular school or district, including student need and the nature and frequency of related services provided; and

(b) The extent to which the services require specific targeted program delivery (e.g. direct counseling or support services).

Comparison of Existing and Proposed Commissioner’s Regulations for Higher Education

Current Sections 52.21 and 80-2.3	Proposed Amended Section 52.21 and new Section 80-3.11
<p><b>Section 52.21</b> Currently there are no requirements for registered school counseling programs.</p>	<p><b>Section 52.21 (d)</b> By September 1, 2018, IHEs offering a school counseling preparation program leading to an initial certificate and master’s degree will be required to provide a minimum of 48 semester hours of graduate study in an approved school counseling program. The 48 hours of graduate study must be in each of the following six core areas and the subareas for these core areas, as prescribed by the Commissioner in guidance:</p> <ul style="list-style-type: none"> <li>○ Foundations in professional school counseling</li> <li>○ Best practices for the profession and in school counseling programming</li> <li>○ Supportive school climate &amp; collaborative work with school, family, and community</li> <li>○ Equity, advocacy and diversity in programming and in support for students</li> <li>○ Child growth, development, and student learning</li> <li>○ Group and individual counseling theories and techniques for prevention, intervention, and responsive services</li> </ul> <p>By September 1, 2018, IHEs offering a school counseling preparation program leading to a professional certificate will be required to provide a minimum of 12 semester hours of graduate study in an approved certificate of advance study. Only individuals who have completed a minimum of a 48 semester hour program in school counseling or its equivalent, and who hold a NYS Initial certificate or meet the requirements for a NYS Initial certificate in school counseling will be</p>

	<p>admitted to a minimum of 12-credit advanced certificate program in school counseling. The minimum 12 semester hours of graduate study must be in at least each of the following two core areas and the subareas for these core areas, as prescribed by the Commissioner in guidance:</p> <ul style="list-style-type: none"> <li>○ Career development and college readiness</li> <li>○ Research and program evaluation</li> </ul> <p>By September 1, 2018, IHEs offering a school counseling program leading to the initial/professional certificate shall offer a minimum of 60 semester hours of graduate study in an approved school counseling program which leads to a master's or higher degree. The first 48 hours of graduate study must be in each of the following six core areas and the subareas for these core areas, as prescribed by the Commissioner in guidance, and identified first in the following list, and the remaining minimum 12 semester hours must be in at least the two core areas, and the subareas for these core areas, as prescribed by the Commissioner in guidance and identified last in the list:</p> <ul style="list-style-type: none"> <li>○ Foundations in professional school counseling</li> <li>○ Best practices for the profession and in school counseling programming</li> <li>○ Supportive school climate &amp; collaborative work with school, family, and community</li> <li>○ Equity, advocacy and diversity in programming and in support for students</li> <li>○ Child growth, development, and student learning</li> <li>○ Group and individual counseling theories and techniques for prevention, intervention, and responsive services</li> <li>○ Career development and college readiness</li> <li>○ Research and program evaluation</li> </ul>
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	<p>All 48 semester hour or higher school counseling preparation programs leading to a master's degree must include a minimum of a 100-hour practicum and a 600-hour internship.</p> <p>The supervised 100-hour P-12 school counseling practicum must be in a P-12 school counseling program setting and consist of 40 direct student service hours in group counseling, individual counseling, and school counseling core curriculum lesson delivery; and 60 indirect hours on developing, implementing, and/or evaluating school counseling program elements such as:</p> <ul style="list-style-type: none"><li>○ student outcomes and standards</li><li>○ curriculum</li><li>○ individual student needs and plans</li><li>○ responsive services</li><li>○ consultation with others on behalf of student</li><li>○ time management</li><li>○ school counseling program goals</li><li>○ data analysis</li><li>○ action plans</li><li>○ calendars/schedules</li><li>○ advisory panels, councils, and committees</li></ul> <p>The supervised 600-hour P-12 school counseling internship must be in a P-12 school counseling program setting and consist of 240 direct student service hours in group counseling, individual counseling, and school counseling core curriculum lesson delivery; and 360 hours of focus on developing, implementing, and evaluating school counseling program elements such as</p> <ul style="list-style-type: none"><li>○ student outcomes and standards</li><li>○ curriculum</li><li>○ individual student needs and plans</li><li>○ responsive services</li><li>○ consultation with others on behalf of student</li><li>○ time management</li><li>○ school counseling program goals</li></ul>
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**Section 80-2.3**

Certificates valid for pupil personnel service (school attendance teacher, school counselor, school dental hygiene teacher, school nurse-teacher, school psychologist and school social worker).

Preparation: to obtain a certificate in a pupil personnel service, a candidate shall meet the requirements set forth in this section.

(b) School counselor.

(1) Provisional certificate.

(i) The candidate shall hold a baccalaureate degree from a regionally accredited institution of higher education or from an institution approved by the department, and in addition shall have completed 30 semester hours of approved graduate study in the field of school counseling, including supervised practice in guidance.

- data analysis
- action plans
- calendars/schedules
- advisory panels, councils, and committees

- School counseling programs registered for the first time on or after September 1, 2018 leading to an initial and/or professional certificate under this subdivision shall be accredited by an acceptable professional education accrediting association, meaning an organization which is determined by the Department to have equivalent standards to the State’s registration standards within seven years of the date of their initial registration, and be continuously accredited thereafter by an acceptable professional education accrediting association.

*A new section 80-3.11 will be added to create new certification requirements for an initial certificate and professional certificate in school counseling. These amendments will be based on the following new requirements:*

**Section 80-3.11**  
**Programs Leading to Initial Certificate**

On or after September 2, 2021, candidates seeking an initial school counselor certificate must complete a NYSED approved graduate school counseling program (minimum of 48 semester hours) or complete 48 semester hours of graduate school counseling coursework in each of the following six core areas and the subareas for these core areas as prescribed by the Commissioner in guidance:

- Foundations in professional school counseling
- Best practices for the profession and in school counseling programming.
- Supportive school climate & collaborative work with school, family,

(ii) Time validity. The provisional certificate shall be valid for five years from date of issuance.

(2) Permanent certificate. The candidate shall have completed, in addition to the requirements for the provisional certificate, two years of school experience in the field of pupil personnel services and 30 semester hours of graduate study in the field of school counseling. Within the total program of preparation, the candidate shall have been awarded a master's degree.

- and community
  - Equity, advocacy and diversity in programming and in support for students
  - Child growth, development, and student learning
  - Group and individual counseling theories and techniques for prevention, intervention, and responsive services
- and a 100-hour practicum and a 600-hour internship as described in section 52.21 (d).

On or after September 2, 2021, candidates seeking an initial school counselor certificate, in addition to the requirements listed above for the Initial certificate must take and receive a satisfactory passing score on a NYSED approved certification exam, if available.

**Programs Leading to Professional Certificate**

On or after September 2, 2021, candidates seeking a professional school counselor certificate must complete a school counseling program registered by the Department pursuant to Section 52.21 of the Commissioner's Regulations, or a minimum of 60 semester hours of graduate study acceptable to the Department in each of the following eight core areas and the subareas for these core areas, as prescribed by the Commissioner in the guidance:

- Foundations in professional school counseling
- Best practices for the profession and in school counseling programming
- Supportive school climate & collaborative work with school, family, and community
- Equity, advocacy and diversity in programming and in support for students
- Child growth, development, and student learning
- Group and individual counseling theories and techniques for prevention,

	<p>intervention, and responsive services</p> <ul style="list-style-type: none"> <li>○ Career development and college readiness</li> <li>○ Research and program evaluation</li> </ul> <p>and will have earned a master’s degree in school counseling, received a passing score on a NYSED approved certification exam, if available, and will have completed a 100-hour practicum and a 600-hour internship as described in Section 52.21 (d).</p> <p>On or after September 2, 2021 candidates seeking a professional school counselor certificate must meet the education, experience, and examination requirements described for an initial certificate and will be required to satisfactorily complete three years of experience as a school counselor. The candidate who completes this requirement in total or part through experience in New York public schools shall be required to participate in a mentored program in the first year of employment.</p> <p><b><u>Additional Information</u></b></p> <p><b>Internship Certificates</b> Under the proposed amendment, candidates are eligible for an internship certificate when they have completed at least one half of the semester hour requirements in the program as described in Section 80-5.9.</p> <p><b>General Requirements</b> All of the general requirements for registered programs in Sections 52.1 and 52.2 of the Commissioner’s Regulations shall apply to school counseling programs in addition to the requirements in 52.21 (d). All other general requirements not addressed in 80-3.11 are required pursuant to 80-1 and 80-3.2.</p> <p><b>Technical Amendments</b> The proposed amendment makes technical amendments throughout Subpart 80-2 and Subpart 80-3 to reflect the changes above</p>
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	<p>and to change the types of school counselor certificates issued on or after September 2, 2021 from “provisional” to “initial” and from “permanent” to “professional” (resulting in a shift from Section 80-2.3 to 80-3).</p> <p><b>Endorsement of Out-of-State Certificates</b> The proposed amendment adds a new section to the Commissioner’s Regulations to prescribe requirements for the endorsement of out-of-state initial and professional certificates; consistent with the new certification requirements for school counselors.</p> <p><b>Satisfaction of Education Requirements through Individual Evaluation</b> The proposed amendment adds a new Section 80-3.12 to the Commissioner’s Regulations to prescribe requirements for meeting the education requirements through individual evaluation for candidates who seek to meet the educational requirements for an initial or professional certificate in school counseling without completion of a registered program; consistent with the new education requirements for registered programs.</p> <p><b>Time Validity</b> The initial certificate is valid for five years, subject to certain time extensions and renewals as described in Subpart 80-1 of the Commissioner’s Regulations. The professional certificate is valid for life.</p>
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**ATTACHMENT C**

**Crosswalk of Proposed Commissioner’s Regulations for P-12 Comprehensive School Counseling Programs and Higher Education Preparatory Programs**

*This chart shows how the proposed Higher Ed regulations would support the proposed P-12 regulations*

<p align="center"><b>P-12 Proposed Section 100.2(j)</b></p>	<p align="center"><b>Higher Education School Counseling Preparation Area of Study from Proposed Section 52.21</b></p>
<p>(j) Guidance programs and comprehensive developmental school counseling programs</p>	
<p>1) Guidance programs for public schools for school years prior to the 2017-2018 school year and for non-public schools...</p> <p>(2) Comprehensive developmental school counseling programs. Beginning with the 2017-2018 school year, each school district shall have a comprehensive developmental school counseling program, developed and provided by a certified school counselor, for all students in prekindergarten through grade 12. Each school district shall also ensure that all students in grades prekindergarten through twelve have access to a certified school counselor(s).</p> <p>(i) For all grades prekindergarten through twelve, district and building level comprehensive developmental school counseling programs shall be designed to address multiple student competencies including career/college readiness standards, and academic and social/emotional development standards recognized by the American School Counselor Association (The ASCA National Model: A Framework for School Counseling Programs, Third Edition, American School Counselor Association, Alexandria VA., [2012]; available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234) or other comparable national and/or New York State recognized</p>	<p>The school counselor preparation program will provide the opportunity and resources for the development of school counselor knowledge, skills, and abilities that will lead to certification. School counseling curriculum will address the four systemic components of a comprehensive school counseling plan. To achieve that goal, school counselor programs must align its coursework consistent with 8 core areas and the subareas for these core areas, as prescribed by the Commissioner in the guidance:</p> <ul style="list-style-type: none"> <li>○ Foundations in professional school counseling</li> <li>○ Best practices for the profession and in school counseling programming</li> <li>○ Supportive school climate &amp; collaborative work with school, family, and community</li> <li>○ Equity, advocacy and diversity in programming and in support for students</li> <li>○ Child growth, development, and student learning</li> <li>○ Group and individual counseling theories and techniques for prevention, intervention, and responsive services</li> <li>○ Career development and college readiness</li> <li>○ Research and program evaluation</li> </ul>

standards. The comprehensive developmental school counseling program shall include the following activities or services:

(a) provide an annual individual progress review plan for each student, which shall reflect each student's educational progress and career plans. For students in grades prekindergarten through six, a progress review plan may be provided for each student individually or with small groups. Such plans shall be developed and reviewed by a certified school counselor(s) and for a student with disability, the plan shall be consistent with the student's individualized education plan;

(b) school counseling core curriculum instruction aimed at addressing student competencies related to career/college readiness, academic skills and social/emotional development by a certified school counselor(s);

(c) other direct student services which may include, but need not be limited to, responsive services, crisis response, group counseling, individual counseling, appraisal, assessment and advisement, for the purpose of enabling students to benefit from the curriculum, assisting students to develop and implement postsecondary education and career plans, assisting students who exhibit any attendance, academic, behavioral or adjustment problems and encouraging parental involvement, provided that such individual or group counseling assistance shall be provided by certified or licensed school counselors; and or by certified or licensed

- Foundations in professional school counseling
- Best practices for the profession and in school counseling programming
- Child growth, development, and student learning
- Equity, advocacy and diversity in programming and in support for students
- Group and individual counseling theories and techniques for prevention, intervention, and responsive services
- Career development and college readiness

- Child growth, development, and student learning
- Best practices for the profession and in school counseling programming
- Equity, advocacy and diversity in programming and in support for students
- Career development and college readiness

- Group and individual counseling theories and techniques for prevention, intervention, and responsive services
- Best practices for the profession and in school counseling programming
- Supportive school climate & collaborative work with school, family, and community
- Equity, advocacy and diversity in programming and in support for students
- Career development and college readiness

<p>school psychologists or certified or licensed school social workers in cooperation with school counselors;</p> <p>(d) indirect student services which may include but need not be limited to, referrals, consultation, collaboration, leadership, advocacy, and teaming.</p> <p>(ii) Each school district shall develop district-wide and building-level comprehensive developmental school counseling plans which set forth the manner in which the district shall comply with the requirements of this subdivision. The New York City Department of Education shall submit separate plans for each community school district, for the High School Division and for the Special Education Division. Such district and building level plans shall be developed by or under the direction of certified school counselor(s) and be updated annually, available for review at the district offices and each school building, and made available on the district's website.</p> <p>(a) Each plan shall be based upon a school counselor and building leader program agreement, which shall be developed annually and shall include program objectives, activities, program development and maintenance planning, school counseling curriculum and lesson plan development, professional development planning, evaluation methods based on data analysis of program results and closing the gap analysis reports to inform program improvement, and assessment of the resources necessary to support positive student outcomes.</p>	<ul style="list-style-type: none"> <li>○ Foundations in professional school counseling</li> <li>○ Supportive school climate &amp; collaborative work with school, family, and community</li> <li>○ Group and individual counseling theories and techniques for prevention, intervention, and responsive services</li>   <li>○ Foundations in professional school counseling</li> <li>○ Best practices for the profession and in school counseling programming</li> <li>○ Supportive school climate &amp; collaborative work with school, family, and community</li> <li>○ Equity, advocacy and diversity in programming and in support for students</li>   <li>○ Child growth, development, and student learning</li> <li>○ Research and program evaluation</li> <li>○ Supportive school climate &amp; collaborative work with school, family, and community</li> <li>○ Equity, advocacy and diversity in programming and in support for students</li> </ul>
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(b) Each plan shall also include the preparation of a program outcomes report that includes an analysis of all systematic components of a comprehensive developmental school counseling program as defined by this subdivision. Such report shall be presented to the board of education annually.

(iii) Each school district shall establish a comprehensive developmental school counseling program advisory council to be comprised of representative stakeholders (such as parents, members of the board of education, school building and/or district leaders, community-based service providers, teachers, certified school counselors and other pupil personnel service providers in the district [e.g. school social workers and/or school psychologists]). The advisory council shall meet no less than twice a year for the purpose of reviewing the comprehensive developmental school counseling program plan and advising on the implementation of the school counseling program. The advisory council shall create and submit an annual report to the board of education.

(iv) A successful comprehensive school counseling program should, to the extent practicable, use ratios for certified school counselors to students that conform to the American School Counselor Association standards (The ASCA National Model: A Framework for School Counseling Programs, Third Edition, American School Counselor Association, Alexandria VA., [2012]; available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234) or other comparable national and/or New York State recognized standards and shall take into consideration:

- Foundations in professional school counseling
- Best practices for the profession and in school counseling programming
- Research and program evaluation

- Foundations in professional school counseling
- Best practices for the profession and in school counseling programming
- Supportive school climate & collaborative work with school, family, and community

<p>(a) The requirements of delivering a comprehensive program to a particular school or district, including student need and the nature and frequency of related services provided; and</p> <p>(b) The extent to which the services require specific targeted program delivery (e.g. direct counseling or support services).</p>	
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AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 210, 214, 215, 305, and 308, 3001, 3003, 3006 and 3009.

1. Subdivision (a) of section 52.21 of the Regulations of the Commissioner of Education, shall be amended, effective December 30, 2015, to read as follows:

(a) Programs leading to certification in pupil personnel service shall meet the requirements of this subdivision, except that programs leading to initial and/or professional certification in school counseling shall meet the requirements of subdivision (d) of this section by September 1, 2018. Programs leading to certification in educational leadership service shall meet the requirements of subdivision (c) of this section by September 1, 2004. Prior to September 1, 2004, programs leading to certification in educational leadership service shall meet the requirements of this subdivision or subdivision (c) of this section.

2. A new subdivision (d) shall be added to section 52.21 of the Regulations of the Commissioner of Education, effective December 30, 2015, to read as follows:

(d) Programs leading to certification as a school counselor. The requirements of this subdivision shall be met by September 1, 2018 for programs leading to an initial certificate pursuant to paragraph (2) of this subdivision and/or a professional certificate in school counseling pursuant to paragraph (3) of this subdivision.

(1) General requirements for programs preparing school counselors. The general requirements for registration as set forth under sections 52.1 and 52.2 of this

Part shall pertain to this subdivision. In addition, the following requirements shall be met:

(i) Programs shall have a written statement of the philosophy, purposes and objectives of the program.

(ii) Institutions shall demonstrate how faculty cooperate for the purpose of ensuring that prospective school counselors receive academic preparation of high quality, equivalent to that of candidates in other fields.

(iii) Institutions shall demonstrate efforts to recruit qualified faculty and student bodies for school counseling from groups historically underrepresented in such programs.

(iv) Institutions shall demonstrate efforts to recruit and retain qualified faculty who understand the problems of high need schools, including English Language Learners, and have professional experience in such schools.

(v) Institutions shall publish information about each of its school counselor programs that shall be made available to prospective and enrolled candidates. The information shall include but need not be limited to, as available, relevant statistics about the labor market and job availability for each certificate title for which a school counseling program is offered, including the source of the statistics and the period of time and geographic area to which the statistics refer.

(vi) Institutions shall demonstrate how they maintain formal relationships with local schools consistent with the requirements for internships and practicum established under this subdivision, for the purpose of improving the preparation of school

counselors and improving school counseling and learning at both the institutional and the elementary and/or secondary school levels.

(vii) Institutions shall demonstrate how they promote faculty involvement with public or nonpublic schools for the purpose of improving the preparation of school counselors with regard to understanding diversity, including English Language Learners, and issues facing high need schools.

(viii) Faculty.

(a) Institutions shall provide sufficient numbers of qualified, full-time faculty in order to foster and maintain continuity and stability in school counselor programs and policies and ensure the proper discharge of all instructional and other faculty responsibilities. Institutions shall also meet the requirements for faculty set forth in section 52.2 of this Part.

(b) Staffing requirements.

(1) Except as provided in subclause (2) of this clause, institutions shall meet the following staffing requirements: Institutions shall ensure that the majority of credit-bearing courses in the program are offered by full-time teaching faculty. Faculty assignments shall not exceed 9 semester hours per semester for graduate courses, or 21 semester hours per academic year for faculty who teach a combination of graduate and undergraduate courses, while still providing sufficient course offerings to allow candidates to complete their programs in the minimum time required for earning the degree. Individual faculty members shall not supervise more than 18 candidates per semester. Supervision of practica, and internships shall be considered by the institution

in determining faculty load, and institutions shall demonstrate how such supervision is considered in determining faculty load.

(2) Waiver and exception. The Commissioner may grant a waiver from one or more requirements of subclause (1) of this clause upon a showing of good cause satisfactory to the Commissioner, including but not limited to a showing that the institution cannot meet the requirement because of the nature of the program, which otherwise meets the requirements of this Part.

(ix) Institutions shall demonstrate that participation in relationships with local schools is a valued component of the responsibilities of the faculty with primary appointments in school counseling.

(x) Institutions shall provide sufficient resources and equipment and adequate facilities and physical space, as prescribed in section 52.2(a) of this Part, to support the school counseling program.

(xi) Institutions shall require applicants to hold a baccalaureate degree or higher for admission to school counseling programs.

(xii) Institutions shall demonstrate how they use various types of assessments to evaluate applicants for admission to school counseling programs.

(2) Standards for programs leading to an initial certificate in school counseling. In addition to meeting the applicable provisions of this Part, programs leading to an initial certificate in school counseling shall be programs leading to a master's degree or higher, which shall include a minimum of 48 semester hours of graduate study, including but not limited to the six core content areas described in subparagraph (i) of this paragraph and shall have a minimum college-supervised practicum of 100 hours

and a college-supervised internship of 600 hours as described in subparagraph (ii) of this paragraph.

(i) Six core content areas. The program shall include a requirement that the candidate complete study that prepares candidates with knowledge, understanding, and skills in at least the following six core content areas of school counseling and the subareas for these core content areas, as further defined by the Commissioner in guidance:

(a) Foundations in professional school counseling, including understanding the history and purpose/philosophy of, and the laws, policies, and regulations governing school counseling. School counselors engage in continuous professional growth and development, advocate for appropriate school counselor identity and roles, and adhere to ethical practices.

(b) Best practices for the profession and in school counseling programming, including assessing, developing, implementing, leading, and evaluating a data-driven school counseling program that is comprehensive, utilizes best practices, and advances the mission of the school.

(c) Supportive school climate and collaborative work with school, family and community, including collaborating with colleagues, families, and community members to cultivate an inclusive, nurturing, and physically safe learning environment for students, staff, and families.

(d) Equity, advocacy and diversity in programming and in support of students, including understanding cultural contexts in a multicultural society, demonstrating

fairness, equity and sensitivity to every student, and advocating for equitable access to instructional programs and activities.

(e) Child growth, development and student learning, including using knowledge of child development, individual differences, learning barriers, and pedagogy to contribute to and support student learning; and

(f) Group and individual counseling theories and techniques, including the use of a variety of research-based counseling approaches to provide prevention, intervention, and responsive services to meet the academic, personal, social and career needs of all students.

(ii) Programs leading to the initial certificate in school counseling shall:

(a) have a minimum of 100 clock hours of college-supervised school counseling practicum in a P-12 school counseling program setting that shall consist of:

(1) a minimum of 40 clock hours of direct student contact in group counseling, individual counseling and school counseling core curriculum lesson delivery; and

(2) a minimum of 60 clock hours on developing, implementing and evaluating key school counseling program elements such as:

(i) student outcomes and standards,

(ii) curriculum,

(iii) individual student needs and plans,

(iv) responsive services,

(v) consultation with others on behalf of student,

(vi) time management,

(vii) school counseling program goals,



(viii) data analysis,

(ix) action plans,

(x) calendars/schedules, and

(xi) advisory panels, councils, and committees.

(b) have a minimum of 600 clock hours in a supervised school counseling

internship in a P-12 school counseling program which shall consist of:

(1) a minimum of 240 clock hours of supervised direct student service in group counseling, individual counseling and school counseling core curriculum lesson delivery;

(2) a minimum of 360 supervised clock hours focused on developing, implementing and evaluating key school counseling program elements such as:

(i) student outcomes and standards,

(ii) curriculum,

(iii) individual student needs and plans,

(iv) responsive services,

(v) consultation with others on behalf of student,

(vi) time management,

(vii) school counseling program goals,

(viii) data analysis,

(ix) action plans,

(x) calendars/schedules,

(xi) advisory panels, councils, and committees.

(c) The internship and practicum shall:

(1) Be consistent with the program's philosophy, purposes and objectives and carefully selected and planned by program faculty, with learning outcomes specified and their achievement regularly evaluated;

(2) Be accompanied by coursework or seminars and supervised by one or more faculty who participate actively in the program and in program development, and who have training and skills in supervision and the expertise to provide supervision. Full-time faculty shall participate in supervising candidates during their internship and practicum experiences;

(3) Provide candidates with experiences in a variety of communities and across the range of student development levels, experiences practicing skills interacting with parents or caregivers, experiences in high needs schools, and experiences with each of the following student populations: socioeconomically disadvantaged students, students who are English language learners, and students with disabilities.

(3) Standards for programs leading to a professional certificate in school counseling. Programs leading to a professional certificate in school counseling shall require a candidate to complete either:

(i) a registered program leading to a master's degree, with a minimum of 60 semester hours of graduate study, which shall meet the program registration requirements for a school counselor program leading to the initial certificate as described in paragraph (2) of this subdivision, including but not limited to, 48 semester hours of graduate study, the 100 clock hours of practicum and the 600 clock hour internship, and also require the candidate to complete a minimum of 12 semester hours of additional graduate study in at least the following two core content areas and the

subareas for these core content areas, as further defined by the Commissioner in guidance: career development and college readiness, including use of a variety of research-based counseling approaches to provide services to meet the career needs of all students; and research and program development, including the use of research and evaluation in advancing the school counseling program, its components and the profession; or

(ii) a registered program leading to an advanced certificate with a minimum of 12 semester hours of graduate study in at least the following two core content areas and the subareas for these content areas, as further defined by the Commissioner in guidance: career development and college readiness; and research and program development, as described in subparagraph (i) of this paragraph. Only individuals who have completed a registered school counselor program leading to an initial certificate, or its equivalent, and who hold their initial certificate in school counseling or individuals who have met the requirements for an initial certificate in school counseling shall be admitted to a school counseling program leading to an advanced certificate.

(4) Institutional Accountability. Institutions shall be accountable for the quality of their programs leading to certification in school counseling and the candidates who complete such programs, and shall demonstrate that their school counseling programs are evaluated regularly and that such evaluations are considered for making program improvements.

(5) Accreditation. School counseling programs registered for the first time on or after September 1, 2018 leading to an initial and/or professional certificate under this subdivision shall be accredited by an acceptable professional education accrediting

association, meaning an organization which is determined by the Department to have equivalent standards to the State's registration standards, within seven years of the date of their initial registration, and shall be continuously accredited thereafter by an acceptable professional education accrediting association.

3. The title of Subpart 80-2 of the Regulations of the Commissioner of Education is amended, effective December 30, 2015, to read as follows:

SUBPART 80-2

REQUIREMENTS FOR CERTIFICATES IN THE CLASSROOM TEACHING SERVICE APPLIED AND QUALIFIED FOR ON OR BEFORE FEBRUARY 1, 2004, THE ADMINISTRATIVE AND SUPERVISORY SERVICE APPLIED FOR ON OR BEFORE SEPTEMBER 1, 2006, AND THE PUPIL PERSONNEL SERVICE (EXCEPT FOR CERTIFICATES FOR SCHOOL COUNSELING APPLIED AND QUALIFIED FOR ON OR AFTER SEPTEMBER 2, 2021).

4. Section 80-2.1 of the Regulations of the Commissioner of Education shall be amended, effective December 30, 2015, to read as follows:

§80-2.1 Application of this Subpart and definitions.

(a) Application of this Subpart.

(1) Provisional certificates.

(i) . . .

(ii) . . .

(iii) Candidates who apply and qualify for the provisional certificate in the title school counselor on or before September 2, 2021 shall be subject to the requirements of this Subpart. Candidates who do not meet these requirements shall be subject to the

requirements of Subpart 80-3 of this Part, unless otherwise specifically prescribed in this Part.

(2) Permanent certificates.

(i) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) Candidates with an expired provisional certificate in the title school counselor who apply for permanent certificates in the title school counselor prior to September 2, 2023 shall be subject to the requirements of this Subpart, provided that they have been issued a provisional certificate in this title and have met all requirements for the permanent certificate while under a provisional certificate that was in effect. All other candidates who apply for permanent certificates in the title school counselor shall be subject to the requirements of this Subpart, provided that they have been issued a provisional certificate in this title, the provisional certificate is not expired, and the candidate has met all the requirements for a permanent certificate while the provisional certificate was in effect. Candidates with expired provisional certificates who apply for permanent certificates in the title school counselor on or after September 2, 2023 or who do not meet these conditions shall be subject to the requirements of Subpart 80-3 of this Part, unless otherwise specifically prescribed in this Part.

(3) . . .

(4) [Candidates] Except as otherwise provided in this section, candidates who apply for a provisional or permanent certificate valid for pupil personnel service shall be subject to the requirements of this Subpart.

(b) . . .

5. Subparagraph (iii) of paragraph (1) of section 80-2.9 of the Regulations of the Commissioner of Education shall be amended, effective December 30, 2015, to read as follows:

(iii) For pupil personnel service professionals (see section 80-2.3 [of this Subpart] and section 80-3.11 of this Part), administrative and supervisory personnel (see section 80-2.4 of this Subpart), and school media specialists (see section 80-2.8 of this Subpart), the program will include cultural perspectives, theory and practice of bilingual/multicultural education, and methods of providing services in the native language. The program will provide appropriate college-supervised field experience in the certificate area in a bilingual context.

6. Subparagraph (iii) of paragraph (2) of section 80-2.9 of the Regulations of the Commissioner of Education shall be amended, effective December 30, 2015, to read as follows:

(iii) For pupil personnel service professionals (see section 80-2.3 [of this Subpart] and section 80-3.11 of this Part), administrative and supervisory personnel (see section 80-2.4 of this Subpart), and school media specialists (see section 80-2.8 of this Subpart), 15 semester hours of collegiate study at an institution with an approved bilingual education program to include cultural perspectives, theory and practice of

bilingual/multicultural education, and methods of providing services in the native language.

7. The title of Subpart 80-3 of the Regulations of the Commissioner of Education is amended, effective December 30, 2015, to read as follows:

SUBPART 80-3

REQUIREMENTS FOR CERTIFICATES IN THE CLASSROOM TEACHING SERVICE APPLIED AND QUALIFIED FOR ON OR AFTER FEBRUARY 2, 2004 [AND IN], THE EDUCATIONAL LEADERSHIP SERVICE APPLIED FOR ON OR AFTER SEPTEMBER 2, 2007, AND AS A SCHOOL COUNSELOR APPLIED AND QUALIFIED FOR ON OR AFTER SEPTEMBER 2, 2021.

8. Section 80-3.1 of the Regulations of the Commissioner of Education is amended, effective December 30, 2015, to read as follows:

§80-3.1 Application of this Subpart and definitions.

(a) Application of this Subpart.

(1) Candidates who apply on or after February 2, 2004 for certificates valid for classroom teaching service, and on or after September 2, 2007 for certificates valid for the educational leadership service, and on or after September 2, 2021 for certificates valid for school counselors, shall be subject to the requirements of this Subpart, unless otherwise specifically prescribed in this Part, and except as prescribed in paragraph (2) of this subdivision.

(2)(i) . . .

(ii) . . .

(iii) Candidates who apply for a permanent certificate in the title school counselor shall be subject to the requirements of Subpart 80-2 of this Part, provided that they have been issued a provisional certificate in this title for which the permanent certificate is sought and have met all requirements for the permanent certificate while under a valid provisional certificate that was in effect after that date.

(3) [Candidates] Except as otherwise provided in this section, candidates who apply for certificates valid for pupil personnel service shall be subject to the requirements of Subpart 80-2 of this Part.

(b) . . .

8. A new section 80-3.11 shall be added to the Regulations of the Commissioner of Education, effective December 30, 2015, to read as follows:

§80-3.11 Certificates for school counselor.

(a) Initial certificate.

(1) Validity of certificate. The initial certificate shall be valid for five years from its effective date.

(2) Requirements for an initial certificate as a school counselor. The candidate shall meet each of the following requirements:

(i) Education. The candidate shall meet the education requirement by meeting the requirements in each of the following clauses:

(a) The candidate shall have successfully completed a program leading to the initial certificate as a school counselor registered pursuant to section 52.21(d) of this Title, or its equivalent as determined by the department.



(b) The candidate shall hold a baccalaureate or higher degree from a regionally accredited higher education institution or an equivalently approved higher education institution as determined by the department.

(ii) Examination. Candidates applying for certification on or after September 2, 2021 shall submit evidence of having achieved a satisfactory level of performance on the New York State assessment for school counselors, if available.

(b) Professional certificate.

(1) Validity of certificate. The professional certificate for school counselors shall be continuously valid provided that the professional development requirement prescribed in section 80-3.6 of this Subpart is met.

(2) Requirements for a professional certificate as a school counselor. The candidate shall have successfully completed, in addition to the requirements for the initial certificate, the following requirements:

(i) Education. The candidate shall meet the education requirement by meeting the requirements in each of the following clauses:

(a) The candidate shall have successfully completed a program leading to a professional certificate as a school counselor registered pursuant to section 52.21(d) of this Title, or its equivalent as determined by the department.

(b) The candidate shall hold a master's degree or higher in school counseling from a regionally accredited higher education institution or an equivalently approved higher education institution as determined by the department or hold an advanced certificate of study from a registered program pursuant to section 52.21(d)(3) of this Part.

(ii) Experience. The candidate shall have successfully completed three years of school counseling experience in New York State public or non-public schools N-12, or its equivalent. The candidate who completes this requirement in total or part through experience in New York public schools shall be required to participate in a mentored program in the first year of employment.

9. A new section 80-3.12 is added to the Regulations of the Commissioner of Education, effective December 30, 2015, to read as follows:

§80-3.12 Satisfaction of education requirements for certification as a school counselor through individual evaluation. This section prescribes requirements for meeting the education requirements for school counselor certificates through individual evaluation. A candidate must have achieved a 3.0 cumulative grade point average or its equivalent in the program or programs leading to any degree used to meet the requirements for a certificate under this section. All other requirements for the certificate, including but not limited to, examination and/or experience requirements, as prescribed in this Subpart must also be met.

(a) A candidate seeking to fulfill the education requirement for an initial certificate through individual evaluation of education requirements shall meet the following requirements:

(1) Degree completion. The candidate shall possess a baccalaureate degree from a regionally or nationally accredited institution of higher education or from an institution authorized by the Regents to confer degrees and whose programs are registered by the Department.

(2) The candidate shall complete study in child abuse identification, school violence and harassment, bullying and discrimination prevention and intervention, as prescribed in sections 80-1.4 and 80-1.13 of this Part.

(3) The candidate shall complete 48 semester hours of graduate coursework that includes study in each of the following six core content areas:

(i) Foundations in professional school counseling;

(ii) Best practices for the profession and in school counseling programming;

(iii) Supportive school climate and collaborative work with school, family and community;

(iv) Equity, advocacy and diversity in programming and in support for students;

(v) Child growth, development and student learning; and

(vi) Group and individual counseling theories and techniques for prevention, intervention and responsive services.

(4) Practicum and Internship. The candidate shall satisfactorily complete:

(i) a minimum of 100 clock hours of practicum in a P-12 school counseling program setting that shall consist of:

(a) a minimum of 40 clock hours in group counseling, individual counseling and school counseling core curriculum lesson delivery; and

(b) a minimum of 60 clock hours on developing, implementing and evaluating key school counseling program elements such as:

(1) student outcomes and standards;

(2) curriculum;

(3) individual student needs and plans;

- (4) responsive services;
- (5) consultation with others on behalf of student;
- (6) time management;
- (7) school counseling program goals;
- (8) data analysis;
- (9) action plans;
- (10) calendars/schedules; and
- (11) advisory panels, councils and committees.

(ii) a minimum of 600 clock hours in a supervised internship in a P-12 school counseling program which shall consist of:

(a) a minimum of 240 clock hours of supervised direct student service hours in group counseling, individual counseling and school counseling core curriculum lesson delivery;

(b) a minimum of 360 supervised clock hours focused on developing, implementing and evaluating key school counseling program elements such as:

- (1) student outcomes and standards,
- (2) curriculum,
- (3) individual student needs and plans,
- (4) responsive services,
- (5) consultation with others on behalf of student,
- (6) time management,
- (7) school counseling program goals,
- (8) data analysis,

(9) action plans,

(10) calendars/schedules, and

(11) advisory panels, councils, and committees.

(b) A candidate seeking to fulfill the education requirement for a professional certificate through individual evaluation of education requirements shall meet the following requirements:

(1) Degree completion. The candidate shall possess a master's degree or higher from a regionally or nationally accredited institution of higher education or from an institution authorized by the Regents to confer degrees and whose programs are registered by the Department.

(2) In addition to that required for the initial certificate as described in subdivision (a) of this section, the candidate shall complete at least 12 semester hours of graduate coursework that includes study in at least each of the following core content areas:

(i) career development and college readiness; and

(ii) research and program evaluation.

(3) Experience. The candidate shall have successfully completed three years of school counseling experience in New York State public or non-public schools N-12, or its equivalent. The candidate who completes this requirement in total or part through experience in New York public schools shall be required to participate in a mentored program in the first year of employment.

10. Section 80-5.9 of the Regulations of the Commissioner of Education shall be amended, effective December 30, 2015, to read as follows:

§80-5.9 Internship certificate.

(a) A [student] candidate in a registered or approved graduate program of teacher education or school counseling which includes an internship experience(s) and who has completed at least one-half of the semester hour requirement for the program may, at the request of the institution, be issued an internship certificate for a fee of \$50.

(b) The certificate shall be issued only to those persons enrolled in registered or approved programs that include appropriate supervision [and shall show on the face of the certificate the following information:

- (1) the name of the intern;
- (2) the collegiate program sponsoring the internship;
- (3) the area of service for which the certificate is valid;
- (4) the school district in which the internship is to be served; and
- (5) the dates for which the certificate is valid.]

(c) The certificate shall be valid for no more than two years from its effective date and is not renewable. For individuals called to active duty in the Armed Forces, the validity period of the internship certificate may be extended for the time of active service and an additional 12 months from the end of such service, provided that the holder is a candidate in a registered or approved graduate program of teacher education or school counseling program.

11. A new section 80-5.23 of the Regulations of the Commissioner of Education shall be added, effective December 30, 2015, to read as follows:

§80-5.23 Endorsement of certificates for service as a school counselor.

(a) School counselor. The Commissioner may endorse the certificate of another state or territory of the United States or the District of Columbia for service as a school counselor, provided that the candidate meets the following requirements:

(1) The candidate shall hold a valid certificate of another state or territory of the United States or the District of Columbia that is equivalent to the initial or professional certificate as a school counselor.

(2) The candidate shall meet the general requirements for certificates prescribed in Subpart 80-1 of this Part, including but not limited to the requirements of section 80-1.3 relating to citizenship, section 80-1.4 relating to study in child abuse identification and reporting, section 80-1.13 relating to study in harassment, bullying and discrimination prevention and intervention and school violence prevention and intervention; and section 80-1.11 relating to a criminal history record check.

(3) The candidate shall hold a master's degree or higher from a regionally accredited higher education institution or an equivalently approved higher education institution as determined by the department, or have equivalent educational preparation as determined by the commissioner. Candidates shall have achieved a 3.0 cumulative grade point average, or its equivalent, in the program leading to the degree.

(4) The candidate shall either:

(i) have completed a program from a regionally accredited institution of higher education or a higher education institution that the Commissioner deems substantially equivalent, provided that such program leads to an initial school counselor certificate, or a similar school counselor certificate, in the jurisdiction in which the higher education institution is located; or

(ii) have at least three years of satisfactory experience in a public school (grades birth-12) in another state or territory of the United States or the District of Columbia in a position that would have required the equivalent of an initial or professional certificate in school counseling for employment in New York State and while under a certificate issued by such other state authorizing such service, such experience must have been completed within five years immediately preceding the application for endorsement of the out-of-state certificate; or the candidate shall have equivalent experience as determined by the Commissioner.

(5) Examination requirement. Any candidate applying for a professional certificate as a school counselor through endorsement of a certificate of another state or territory pursuant to the provisions of this section on or after September 2, 2021, shall achieve a satisfactory level of performance on the school counselor examination, if available.

12. Subdivision (j) of section 100.2 of the Regulations of the Commissioner of Education shall be amended, effective December 30, 2015, to read as follows:

(j) Guidance programs and comprehensive developmental school counseling programs.

(1) Guidance programs for public schools for school years prior to the 2017-2018 school year and for non-public schools.

(i) Public Schools. Each school district shall have a guidance program for all students.

[(i)](a) In grades K-6, the program shall be designed in coordination with the teaching staff to prepare students to participate effectively in their current and future



educational programs, to help students who exhibit any attendance, academic, behavioral or adjustment problems, to educate students concerning avoidance of child sexual abuse, and to encourage parental involvement.

[(ii)](b) In grades 7-12, the guidance program shall include the following activities or services:

[(a)](1) an annual review of each student's educational progress and career plans, with such reviews to be conducted with each student individually or with small groups by personnel certified or licensed as school counselors;

[(b)](2) instruction at each grade level to help students learn about various careers and about career planning skills conducted by personnel certified or licensed as school counselors, or by classroom teachers in cooperation with school counselors;

[(c)](3) other advisory and individual or group counseling assistance to enable students to benefit from the curriculum, to help students develop and implement postsecondary education and career plans, to help students who exhibit any attendance, academic, behavioral or adjustment problems and to encourage parental involvement, provided that advisory assistance shall be provided by teachers or counselors, or by certified teaching assistants under the supervision of counselors or teachers, and that such individual or group counseling assistance shall be provided by certified or licensed school counselors or by certified or licensed school psychologists or certified or licensed school social workers in cooperation with school counselors; and

[(d)](4) the services of personnel certified or licensed as school counselors.

[(iii)](c) Each school district shall develop a district plan which sets forth the manner in which the district shall comply with the requirements of this subdivision. The

City School District of the City of New York shall submit a separate plan for each community school district, for the High School Division and for the Special Education Division. Such plan shall be filed in the district offices and shall be available for review by any individual. The plan shall present program objectives, which describe expectations of what students will learn from the program; activities to accomplish the objectives; specification of staff members and other resources assigned to accomplish the objectives; and provisions for the annual assessment of program results. The plan shall be reviewed annually by the school districts, and revisions shall be made as necessary.

[(2)](ii) Nonpublic schools. Each nonpublic secondary school shall provide a guidance and counseling program for students in grades 7-12.

(2) Comprehensive developmental school counseling programs. Beginning with the 2017-2018 school year, each school district shall have a comprehensive developmental school counseling program, developed and provided by a certified school counselor, for all students in prekindergarten through grade 12. Each school district shall also ensure that all students in grades prekindergarten through twelve have access to a certified school counselor(s).

(i) For all grades prekindergarten through twelve, district and building level comprehensive developmental school counseling programs shall be designed to address multiple student competencies including career/college readiness standards, and academic and social/emotional development standards recognized by the American School Counselor Association (The ASCA National Model: A Framework for School Counseling Programs, Third Edition, American School Counselor Association,

Alexandria VA., [2012]; available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234) or other comparable national and/or New York State recognized standards. The comprehensive developmental school counseling program shall include the following activities or services:

(a) provide an annual individual progress review plan for each student, which shall reflect each student's educational progress and career plans. For students in grades prekindergarten through six, a progress review plan may be provided for each student individually or with small groups. Such plans shall be developed and reviewed by a certified school counselor(s) and for a student with disability, the plan shall be consistent with the student's individualized education plan;

(b) school counseling core curriculum instruction aimed at addressing student competencies related to career/college readiness, academic skills and social/emotional development by a certified school counselor(s);

(c) other direct student services which may include, but need not be limited to, responsive services, crisis response, group counseling, individual counseling, appraisal, assessment and advisement, for the purpose of enabling students to benefit from the curriculum, assisting students to develop and implement postsecondary education and career plans, assisting students who exhibit any attendance, academic, behavioral or adjustment problems and encouraging parental involvement, provided that such individual or group counseling assistance shall be provided by certified school counselors; and or by certified or licensed school psychologists or certified or licensed school social workers in cooperation with school counselors;

(d) indirect student services which may include but need not be limited to, referrals, consultation, collaboration, leadership, advocacy, and teaming.

(ii) Each school district shall develop district-wide and building-level comprehensive developmental school counseling plans which set forth the manner in which the district shall comply with the requirements of this subdivision. The New York City Department of Education shall submit separate plans for each community school district, for the High School Division and for the Special Education Division. Such district and building level plans shall be developed by or under the direction of certified school counselor(s) and be updated annually, available for review at the district offices and each school building, and made available on the district's website.

(a) Each plan shall be based upon a school counselor and building leader program agreement, which shall be developed annually and shall include program objectives, activities, program development and maintenance planning, school counseling curriculum and lesson plan development, professional development planning, evaluation methods based on data analysis of program results and closing the gap analysis reports to inform program improvement, and assessment of the resources necessary to support positive student outcomes.

(b) Each plan shall also include the preparation of a program outcomes report that includes an analysis of all systematic components of a comprehensive developmental school counseling program as defined by this subdivision. Such report shall be presented to the board of education annually.

(iii) Each school district shall establish a comprehensive developmental school counseling program advisory council to be comprised of representative stakeholders

(such as parents, members of the board of education, school building and/or district leaders, community-based service providers, teachers, certified school counselors and other pupil personnel service providers in the district [e.g. school social workers and/or school psychologists]). The advisory council shall meet no less than twice a year for the purpose of reviewing the comprehensive developmental school counseling program plan and advising on the implementation of the school counseling program. The advisory council shall create and submit an annual report to the board of education.

(iv) A successful comprehensive school counseling program should, to the extent practicable, use ratios for certified school counselors to students that conform to the American School Counselor Association standards (The ASCA National Model: A Framework for School Counseling Programs, Third Edition, American School Counselor Association, Alexandria VA., [2012]; available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234) or other comparable national and/or New York State recognized standards and shall take into consideration:

(a) The requirements of delivering a comprehensive program to a particular school or district, including student need and the nature and frequency of related services provided; and

(b) The extent to which the services require specific targeted program delivery (e.g. direct counseling or support services).