

Senate Bill No. 319—Senators Dondero Loop, Woodhouse, Denis, Parks; Brooks, Cancela, Cannizzaro, D. Harris, Ohrenschall, Ratti and Scheible

CHAPTER.....

AN ACT relating to education; defining “school counselor,” “school psychologist” and “school social worker” for certain purposes; establishing the duties of a school counselor, psychologist and social worker; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the licensing of social workers. (Chapter 641B of NRS) Existing law requires the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing educational personnel. (NRS 391.019) **Section 1** of this bill defines school counselor, school psychologist and school social worker, respectively, for the school environment. **Sections 3-5** of this bill establish the duties of a school counselor, psychologist and social worker, respectively, employed by a school district. **Section 1.5** of this bill requires a public school, to the extent that money is available, to employ a school counselor on a full-time basis and provide for a comprehensive school counseling program.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 385.007 is hereby amended to read as follows:

385.007 As used in this title, unless the context otherwise requires:

1. “Achievement charter school” means a public school operated by a charter management organization, as defined in NRS 388B.020, an educational management organization, as defined in NRS 388B.030, or other person pursuant to a contract with the Achievement School District pursuant to NRS 388B.210 and subject to the provisions of chapter 388B of NRS.

2. “Department” means the Department of Education.

3. “English learner” has the meaning ascribed to it in 20 U.S.C. § 7801(20).

4. “Homeschooled child” means a child who receives instruction at home and who is exempt from compulsory attendance pursuant to NRS 392.070, but does not include an opt-in child.

5. “Local school precinct” has the meaning ascribed to it in NRS 388G.535.



6. "Opt-in child" means a child for whom an education savings account has been established pursuant to NRS 353B.850, who is not enrolled full-time in a public or private school and who receives all or a portion of his or her instruction from a participating entity, as defined in NRS 353B.750.

7. "Public schools" means all kindergartens and elementary schools, junior high schools and middle schools, high schools, charter schools and any other schools, classes and educational programs which receive their support through public taxation and, except for charter schools, whose textbooks and courses of study are under the control of the State Board.

8. "School bus" has the meaning ascribed to it in NRS 484A.230.

9. *"School counselor" or "counselor" means a person who holds a license issued pursuant to chapter 391 of NRS and an endorsement to serve as a school counselor issued pursuant to regulations adopted by the Commission on Professional Standards in Education or who is otherwise authorized by the Superintendent of Public Instruction to serve as a school counselor.*

10. *"School psychologist" or "psychologist" means a person who holds a license issued pursuant to chapter 391 of NRS and an endorsement to serve as a school psychologist issued pursuant to regulations adopted by the Commission on Professional Standards in Education or who is otherwise authorized by the Superintendent of Public Instruction to serve as a school psychologist.*

11. *"School social worker" or "social worker" means a social worker licensed pursuant to chapter 641B of NRS who holds a license issued pursuant to chapter 391 of NRS and an endorsement to serve as a school social worker issued pursuant to regulations adopted by the Commission on Professional Standards in Education or who is otherwise authorized by the Superintendent of Public Instruction to serve as a school social worker.*

12. "State Board" means the State Board of Education.

~~10.1~~ 13. "University school for profoundly gifted pupils" has the meaning ascribed to it in NRS 388C.040.

Sec. 1.5. Chapter 388 of NRS is hereby amended by adding thereto a new section to read as follows:

Each public school, including, without limitation, each charter school, shall, to the extent that money is available for that purpose:



1. Employ a school counselor at the school on a full-time basis.

2. Provide for a comprehensive program for school counseling developed by a school counselor pursuant to section 3 of this act.

Sec. 2. Chapter 391 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 6.5, inclusive, of this act.

Sec. 3. 1. A school counselor shall:

(a) Design and deliver a comprehensive program for school counseling that promotes achievement of pupils; and

(b) Devote not less than 80 percent of his or her time providing direct or indirect services to pupils.

2. A school counselor may, through consultation or collaboration with other educational personnel or by providing direct services:

(a) Analyze data concerning the academic, career, social and emotional development of pupils to identify issues, needs and challenges of pupils;

(b) Address needs relating to the academic, career, social and emotional development of all pupils;

(c) Advocate for equitable access to a rigorous education for all pupils and work to remove systemic barriers to such access;

(d) Deliver school counseling lessons through large-group, classroom, small-group and individual settings to promote pupil success;

(e) Provide to individual pupils services relating to academic planning and goal setting;

(f) Provide peer facilitation, crisis counseling and short-term counseling to pupils in individual and small-group settings;

(g) Provide referrals to a pupil and the parent or legal guardian of a pupil, as needed, for additional support services provided by the school or within the community;

(h) Participate on committees within the school and the school district, as appropriate; and

(i) Participate in planning for and implementing a response to a crisis at the school.

3. Each school counselor must be supervised by a licensed administrator.

Sec. 4. 1. A school psychologist may, through consultation or collaboration with other educational personnel or by providing direct services:



(a) Deliver mental and behavioral health services to pupils in a school;

(b) Collaborate with the school, community and parents or legal guardians of pupils to promote a safe and supportive learning environment;

(c) Provide preventative, intervention and postintervention services through integrated systems of support;

(d) Collect and analyze data on the mental and behavioral health of pupils;

(e) Administer applicable assessments to pupils;

(f) Monitor the progress of the academic, mental and behavioral health of pupils;

(g) Assist with the development and implementation of school-wide practices to promote learning;

(h) Analyze resilience and risk factors of pupils;

(i) Provide instructional support to other educational personnel;

(j) Evaluate and make recommendations for the improvement of special education services;

(k) Promote diversity in development and learning;

(l) Conduct research and evaluate programs related to the mental and behavioral health of pupils; and

(m) Participate in planning for and implementing a response to a crisis at the school.

2. In a school district in which more than 50,000 pupils were enrolled during the preceding school year, each school psychologist must be supervised by a psychologist licensed pursuant to chapter 391 of NRS who is a licensed administrator.

3. In a school district in which not more than 50,000 pupils were enrolled during the preceding school year, each school psychologist must be supervised by a licensed administrator.

Sec. 5. 1. *A school social worker may, through consultation or collaboration with other educational personnel or by providing direct services:*

(a) Act as a liaison between the home, school and community;

(b) Provide therapy, counseling and support services for pupils and the families of pupils;

(c) Provide individual and small-group therapy, counseling and support services;

(d) Provide mediation services;

(e) Advocate for the academic, social and emotional success of pupils;

(f) Assist other educational personnel with case management;



- (g) Write applications for grants, as necessary;*
- (h) Assist other educational personnel, including, without limitation, a school psychologist, with developing a plan for providing prevention and intervention services to pupils;*
- (i) Administer biopsychosocial assessments to pupils, as necessary;*
- (j) Support the learning of pupils;*
- (k) Provide services for professional development of staff;*
- (l) Provide support and consultation to the school, the pupils and the parents or legal guardians of pupils at the school regarding, without limitation, education law and services related to special education;*
- (m) Provide strengths-based assessments for the school, the pupils and the parents or legal guardians of pupils at the school;*
- (n) Assist parents or legal guardians with problem solving;*
- (o) Assist pupils with developing social skills;*
- (p) Provide referrals to pupils and parents or legal guardians of pupils for education services; and*
- (q) Participate in planning for and implementing a response to a crisis at the school.*

2. Each school social worker must be supervised by a licensed administrator.

Secs. 6, 6.5 and 7. (Deleted by amendment.)

Sec. 8. This act becomes effective on July 1, 2019.

