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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 986

02/28/2013 Authored by Newton; Ward, J.E.; Morgan; Kahn; Poppe and others
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; adding school personnel notice and reporting requirements;
1.3 proposing coding for new law in Minnesota Statutes, chapter 122A.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[122A.34] SCHOOL COUNSELING.**

1.6 (a) If a district uses school personnel who are not licensed as school counselors to
1.7 perform the duties of licensed school counselors, the district must give notice to students
1.8 and parents and guardians that counseling services are not being provided by school
1.9 counselors licensed under Minnesota Rules, part 8710.6400. Nothing in this section
1.10 prevents candidates for school counseling licensure from providing counseling to students
1.11 as part of approved school counselor preparation programs and under the supervision of
1.12 licensed school counselors.

1.13 (b) School counselors shall not be placed in positions which impair their abilities to
1.14 perform their duties within the scope of practice of a school counselor under Minnesota
1.15 Rules, part 8710.6400.

1.16 Sec. 2. **[122A.35] ACCURATE REPORTING OF SCHOOL PERSONNEL.**

1.17 School personnel who are assigned responsibilities to provide disciplinary,
1.18 administrative, or other functions as those provided by a licensed principal, principal
1.19 designee, or other licensed school administrator in a single school building must be
1.20 identified in staffing reports as an administrative position regardless of the licensure held
1.21 by the individual in the position.