

A bill for an act
relating to education; requiring licensed school counselors to supervise
nonlicensed individuals advising students on educational opportunities and
academic planning; proposing coding for new law in Minnesota Statutes, chapter
122A.

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

Section 1. **[122A.321] SCHOOL COUNSELING; NONLICENSED
INDIVIDUALS.**

(a) A school district that contracts with nonlicensed individuals to advise students on
educational opportunities and academic planning for access and success in postsecondary
institutions must have a licensed district school counselor who is a specialist in the fields of
academic and postsecondary advising provide, at a minimum, the following supervision:

(1) monitoring the nonlicensed individual and student contact;

(2) reviewing documents related to the student advising; and

(3) holding quarterly meetings with the nonlicensed individual to review:

(i) advising techniques, methods, and objectives that must be in a written education
plan for each student;

(ii) timelines for meeting school district student performance objectives; and

(iii) the impact of the advice on student academic success and postsecondary
education plans.

(b) Nonlicensed individuals providing academic advising to students on educational
opportunities and academic planning:

(1) shall not have access to student files without written permission of the student
and parent or guardian in compliance with the Minnesota Data Privacy Act under chapter

H.F. No. 1557, as introduced - 85th Legislative Session (2007-2008)

- 2.1 13 and the Family Educational Rights and Privacy Act (FERPA), United States Code, title
2.2 20, section 1232g;
2.3 (2) shall immediately report to a licensed school counselor any student behaviors
2.4 or mental health issues that may potentially impact the health and well-being of the
2.5 student; and
2.6 (3) shall provide evidence of continuing education in early warning signs of
2.7 early-onset mental illness in children and adolescents.
2.8 (c) A district must not replace a licensed school counselor or reduce licensed school
2.9 counselor positions with a nonlicensed qualified professional under paragraph (a).