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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1557**

March 1, 2007

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The bill was read for the first time and referred to the Committee on E-12 Education

1.1 A bill for an act
1.2 relating to education; requiring licensed school counselors to supervise
1.3 nonlicensed individuals advising students on educational opportunities and
1.4 academic planning; proposing coding for new law in Minnesota Statutes, chapter
1.5 122A.

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

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

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

1.13 (1) monitoring the nonlicensed individual and student contact;

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

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

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

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

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

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

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

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).