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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 2369

March 27, 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 school districts to provide notice when counseling
1.3 services are being performed by nonlicensed school personnel; proposing coding
1.4 for new law in Minnesota Statutes, chapter 122A.

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

1.6 Section 1. [122A.321] SCHOOL COUNSELING.

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

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

1.17 (c) School personnel who are assigned more than ten percent of their daily
1.18 responsibilities to provide disciplinary or administrative functions for a single school
1.19 building must be identified in staffing reports as being in an administrative position
1.20 regardless of the licensure held by the individual in the position.