

STATE OF NEW YORK

63

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring the department of education to report information regarding counselors, social workers and psychologists in schools

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 305 of the education law is amended by adding a new
2 subdivision 57 to read as follows:

3 57. a. The commissioner shall submit to the governor, the temporary
4 president of the senate and the speaker of the assembly, a report
5 regarding school counselors, school social workers and school psychol-
6 ogists for the current school year. Such report shall include, but not
7 be limited to: (i) the number of full and part-time school counselors,
8 school social workers and school psychologists in each school, (ii) the
9 ratio of students to the number of school counselors, the ratio of
10 students to the number of school social workers, and the ratio of
11 students to the number of school psychologists in each school, and (iii)
12 whether the school counselor, school social worker or school psychol-
13 ogist is providing counseling assistance to more than one school.

14 b. After such report is issued, the commissioner shall prepare a
15 proposal on how to increase the number of school counselors, school
16 social workers and school psychologists to meet the nationally accepted
17 ratio of students to the number of school counselors, ratio of students
18 to the number of school social workers, and ratio of students to the
19 number of school psychologists within New York state such as those
20 recommended by the school social work association of America, the Ameri-
21 can school counselors association and the national association of school
22 psychologists. When preparing such proposal, the commissioner shall take

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 into consideration the specific needs of individual school districts and
2 the region in which such school district is located.

3 c. For purposes of this subdivision, the following terms shall have
4 the following meanings:

5 (i) "school counselor" shall mean any personnel, licensed and certi-
6 fied by New York state as school counselor, hired to provide individual
7 or group counseling assistance to students in the elementary, middle, or
8 high school grades;

9 (ii) "school social worker" shall mean any personnel, licensed and
10 certified by New York state as a school social worker, hired to provide
11 individual or group counseling assistance to students in the elementary,
12 middle, or high school grades; and

13 (iii) "school psychologist" shall mean any personnel, licensed and
14 certified by New York state as a school psychologist, hired to provide
15 individual or group counseling assistance to students in the elementary,
16 middle, or high school grades.

17 § 2. Section 3602 of the education law is amended by adding a new
18 subdivision 21 to read as follows:

19 21. In addition to the apportionments payable to a school district
20 pursuant to this section, the commissioner is hereby authorized to
21 apportion to any school district additional aid pursuant to this subdi-
22 vision for its approved expenditures in the base year for the employment
23 of school counselors, school social workers and/or school psychologists.
24 The commissioner shall annually prescribe a cost allowance for such
25 school counselors, school social workers and/or school psychologists and
26 the approved expenditures shall not exceed such cost allowance.

27 § 3. This act shall take effect immediately.