

# HOUSE BILL REPORT

## HB 1900

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### As Reported by House Committee On: Education

**Title:** An act relating to defining the role of the school counselor, social worker, and psychologist.

**Brief Description:** Defining the role of the school counselor, social worker, and psychologist.

**Sponsors:** Representatives Ortiz-Self, Johnson, Orwall, Muri, Lytton, Tarleton, Pollet and Bergquist.

#### **Brief History:**

##### **Committee Activity:**

Education: 2/9/15, 2/19/15 [DPS].

#### **Brief Summary of Substitute Bill**

- Specifies that a primary role of school counselors, social workers, and psychologists is to focus on student mental health, work with at-risk and marginalized students, perform risk assessments, and collaborate with mental health professionals to promote student achievement and create a safe learning environment.
- Defines a school psychologist and a school social worker.
- Provides, beginning in the 2015-16 school year, for monthly professional collaboration between school counselors, social workers, and psychologists and licensed mental health service providers.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist, Caldier, Fagan, Gregory, Griffey, Hayes, S. Hunt, Kilduff, Lytton, McCaslin, Orwall, Pollet and Springer.

**Minority Report:** Do not pass. Signed by 1 member: Representative Klippert.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Without recommendation. Signed by 1 member: Representative Hargrove.

**Staff:** Cece Clynch (786-7195).

**Background:**

School counselors, social workers, and psychologists are certificated instructional staff (CIS), often collectively referred to as educational staff associates. As it does for other CIS, it is the Professional Educator Standards Board (PESB) that establishes the policies and practices for the approval of programs of courses, requirements, and other activities leading to certification, establishes policies and practices for the approval of the character of work required to be performed as a condition of entrance to and graduation from any educational staff associate preparation program, and establishes a list of accredited institutions of higher education whose graduates may be awarded certificates as educational staff associates.

Neither the term "school social worker" nor "school psychologist" is defined in the school code. "School counselor" is defined as a professional educator who holds a valid school counselor certification, with a purpose and role to plan, organize, and deliver a comprehensive school guidance and counseling program that personalizes education and supports, promotes, and enhances the academic, personal, social, and career development of all students, based on the National Standards for School Counseling Programs of the American School Counselor Association.

With the passage of Engrossed Substitute House Bill 1336 (ESHB 1336), chapter 197, Laws of 2013, the mental health needs of students were highlighted and new certification and training requirements were put in place. School counselors, psychologists, social workers, and nurses must complete a training program of at least three hours in youth suicide screening and referral as a condition of certification by the PESB. Content standards for the training are adopted by the PESB in consultation with the Office of the Superintendent of Public Instruction (OSPI) and the Department of Health (DOH). The PESB must consider training programs on the Best Practices Registry of the American Foundation for Suicide Prevention and the Suicide Prevention Resource Center. The training requirement applies to continuing or professional certificates if the certificates are first issued or renewed on or after July 1, 2015.

In addition:

- As part of the course on Issues of Abuse, the PESB was tasked with incorporating standards for recognition, initial screening, and response to emotional or behavioral distress in students, including indicators of possible substance abuse, violence, and youth suicide. To be initially certified after August 31, 2014, educators must complete the expanded course.
- Each Educational Service District was required to develop and maintain the capacity to offer training on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students. Training may be offered on a fee-for-service basis or at no cost if funds are available.
- Dependent upon funds appropriated for this purpose, the Department of Social and Health Services (DSHS) was directed to provide funds for mental health first-aid

- training targeted at teachers and educational staff. The DSHS must collaborate with the OSPI to identify methods of instruction that leverage local resources in order to make the training broadly available.
- Beginning in the 2014-15 school year, each school district was required to adopt a plan for recognition, initial screening, and response to emotional or behavioral distress in students (Plan), and annually provide the Plan to all district staff.
  - The OSPI was directed to convene a task force to identify best practices, model programs, and successful strategies for school districts to develop partnerships with community agencies to coordinate and improve support for youth in need.
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### **Summary of Substitute Bill:**

#### Findings and Intent.

Findings are made that:

- students' unmet mental health needs pose barriers to learning, development, and success in school;
- the need to identify and assist students struggling with emotional and mental health needs has reached a serious level statewide;
- the persons most qualified in the school setting to lead the effort in addressing this issue are the school counselor, social worker, and psychologist;
- although the Legislature has previously recognized that a school counselor is not just a course and career guidance professional, but a certificated educator with unique qualifications and skills to address all students' academic, personal, social, and career development needs, the reality in the schools is that staffing levels are below national recommendations and, as a result, many school counselors are tasked primarily with course and career guidance responsibilities;
- school counselors, social workers, and psychologists are in a good position to recognize the signs of emotional or behavioral distress and make appropriate referrals; and
- monthly professional collaboration opportunities between school counselors, social workers, and psychologists and local mental health service providers will build upon the work done in ESHB 1336.

#### School Counselors, Social Workers, and Psychologists.

A primary role of school counselors, social workers, and psychologists is to focus on student mental health, work with at-risk and marginalized students, perform risk assessments, and collaborate with mental health professionals. The majority of the time spent by these school professionals should be in direct student contact, specifically identifying, collaborating, and intervening to meet the mental health needs of all students.

A school psychologist is a professional educator who holds a valid school psychologist certification as defined by the PESB. Pursuant to the National Association of School Psychologists Model for Comprehensive and Integrated School Psychological Services, school psychologists deliver services across 10 domains of practice:

- Two domains permeate all areas of service delivery: data-based decision making and consultation and collaboration.

- Five domains encompass direct and indirect services: student level services, interventions, and instructional supports to develop academic skills; student level interventions and mental health services to develop social and life skills; systems level school-wide practices to promote learning; systems level preventive and responsive services; and systems level family school collaboration services;
- Three foundational domains include: knowledge and skills related to diversity in development and learning; research and program evaluation; and legal and ethical practice.

A school social worker is also a professional educator, certificated by the PESB. The purpose and role of a school social worker is to provide an integral link between school, home, and community in helping students achieve academic and social success. This is accomplished by providing services that include counseling, support, crisis prevention, and case management. They work directly with school administrators, students, and families, and as part of an interdisciplinary team to help students succeed.

Professional Collaboration.

Beginning in the 2015-16 school year, on a monthly basis, first-class school districts must provide a minimum of one-hour of professional collaboration between school counselors, psychologists, and social workers and local licensed mental health service providers. By collaborating with local providers, in short but regular segments, in their own schools or near school district facilities, there is no need to obtain substitutes. This local connection will help foster a connection between school personnel and the mental health professionals in the community to whom school personnel may make referrals. It is in line with the intent expressed in ESHB 1336 to form partnerships with qualified health, mental health, and social service agencies in the community to coordinate and improve support for youth in need and the directive to the Department of Social and Health Services with respect to the provision of funds for mental health first-aid training targeted at teachers and educational staff.

Second-class districts are encouraged, but not required, to provide professional collaboration.

Immunity.

It is provided that the act does not create any civil liability on the part of the state, state agency, officer, employee, agent, political subdivision, or school district.

**Substitute Bill Compared to Original Bill:**

The substitute bill:

- incorporates additional findings;
- adds the definitions of school psychologist and school social worker;
- provides that it is "a" primary role, rather than "the" primary role, to focus on student mental health;
- adds the provision regarding professional collaboration; and
- includes the immunity provision.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) There is a mental health epidemic. School counselors see this in school districts every day. In one district, in a short time span, one eighth grader shot himself and two high school students killed themselves. Suicide is the number one killer of youth. Although the definition of a school counselor that is in statute recognizes that school counselors address students' mental health needs, as well as academic and guidance needs, there has been a move away from that and school counselors must spend most of their time doing data monitoring and graduation counseling. These are important duties, but spending all of a counselor's time in this fashion comes at the expense of students' personal, social, and mental health needs. Counselors are licensed to take care of personal, social, and mental health needs as well as provide guidance counseling. They need to do all of this, otherwise students will be lost.

The work social workers do is not defined in the code. One social worker may have responsibility for 46 buildings in a district. Out of 17 referrals to a social worker last year, many involved suicidal threats and serious threats of violence. A social worker provides a threat assessment, puts together a plan in collaboration with many others, collects data after a student returns to schools and obtains anecdotal information from school staff and the student. The state must offer more staffing and services. The bill is a step in the right direction, and does a better job of clarifying the job of a counselor. It is suggested that language in section two be changed from "The primary role of a school counselor is...." to "A primary role of a school counselor is..."

Also, this section oversimplifies what psychologists do. What is meant by "mental health?" It does not just mean dealing with crises, but also promoting mental health. Psychologists tend to be funded exclusively through special education moneys. The prototypical school model includes a very low staffing level for school psychologists, much below the federally recommended 500 to 1 level. It is difficult to define the primary role of a school psychologist. Often, the psychologist ends up being the psychometrician.

(Opposed) The OSPI is opposed. The bill doesn't truly identify the role of the counselor, and it is not aligned with the American School Counselor Association descriptors. It should not say "the" primary role, and if this is done it is done at the expense of other students' needs such as a High School and Beyond Plan. Just as all football players do not make good coaches, the local mental health providers do not make necessarily good trainers. They simply may not have much to offer in terms of professional development for school counselors, psychologists, and social workers.

**Persons Testifying:** (In support) Representative Ortiz-Self, prime sponsor; Erin Romanuk, Washington Association of School Social Workers; and Carrie Suchy, Washington Association of School Psychologists.

(Opposed) Gil Mendoza, Office of the Superintendent of Public Instruction.

**Persons Signed In To Testify But Not Testifying:** None.