

**R277. Education, Administration.**

**R277-462. School Counseling Program.**

**R277-462-1. Authority and Purpose.**

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3 which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Subsection 53E-2-304(2)(b) which directs local boards to develop policies for the implementation of student Plan for College and Career Readiness.

(2) The purpose of this rule is to establish:

(a) standards and procedures for an LEA applying for funds appropriated for the School Counseling Program;

(b) the minimum counselor to student ratios within an LEA; and

(c) provisions for an LEA not meeting the minimum counselor to student ratios;

**R277-462-2. Definitions.**

(1) "LEA" means, for purposes of this rule, an LEA that serves students any of in grades 7-12.

(2) "Program" means an LEA's school counseling program that shall be consistent with the program model described in Section R277-462-3.

(3) "School Counselor" means an educator licensed as a school counselor consistent with R277-506 and assigned to provide direct and indirect services to students consistent with the program.

(4) "Student" means, for purposes of this rule, only students in grades 7-12.

**R277-462-3. Incorporation of College and Career Readiness School Counseling Program Model.**

(1) This rule incorporates by reference the College and Career Readiness School Counseling Model Third Edition, 2020.

(2) A copy of the current College and Career Readiness School Counseling Program Model is located at:

(a) <https://www.schools.utah.gov/file/058ab549-0d27-437e-be6e-4ce7c6421b7d>

(b) the Utah State Board of Education -- 250 East 500 South, Salt Lake City, Utah 84111.

**R277-462-4. School Counseling Program Approval and Qualifying Criteria.**

(1) To qualify for a funding distribution outlined in subsection (2), an LEA shall:

(a) have a plan for college and career readiness consistent with Section 53E-2-304 and R277-462-5;

(b) have an approved student success framework described in Section 53G-7-1304;

(c) participate in an on-site program review conducted by the Superintendent which shall:

(i) at least once every six years, be conducted with an LEA's accreditation review described in R277-410; and

(ii) assess the following components of the program:

(A) collaborative classroom instruction;

(B) implementation of the plan for college and career readiness;

(C) program contribution to achieving the student success framework;

(D) systemic dropout prevention; and

(E) overall administration of the program.

(d) at least once every three years conduct an internal on-site review consistent with elements of the on-site review conducted by the Superintendent;

(e) ensure school's program is self-evaluated annually;

(f) participate in statewide trainings provided by the Superintendent;

(g) provide adequate resources and program management to each program within the LEA;

(h) conduct a program needs assessment with relevant stakeholders at least once every three years including school-based data projects demonstrating program or intervention effectiveness;

(i) provide evidence of LEA governing board approval of the program;

(j) demonstrate parental involvement in the program including advisory committee participation;

(k) integrate collaborative classroom instruction consistent with student success framework and standards identified by the program model;

(l) maintain the required school counselor to student ratio described in Section R277-462-6;

(m) design a program that includes the needs of diverse students; and

(n) provide assistance for students in career literacy and future decision-making skills.

(2) An LEA that meets the requirements in subsection (1) may receive a funding distribution as follows:

(a) a WPU base for the first 400 students; and

(b) a per student distribution for each additional student beyond 400 students, up to 1200 students.

(3) An LEA shall use the October 1 enrollment count of the previous fiscal year when determining the distribution amount to request.

#### **R277-462-5. Plan for College and Career Readiness.**

(1) To qualify for funding described in Section R277-462-4 an LEA shall ensure each student within the LEA has a plan for college and career readiness.

(2) A student, student's parent, and school counselor shall collaboratively develop the student's plan for college and career readiness.

(3) A plan for college and career readiness shall:

(a) be a four-year plan and completed either:

(i) initiated at the beginning of a student's seventh grade year; or

(ii) within the first year the student is enrolled in grades 7-12;

(b) include parents in the individual planning meetings with a student;

(c) be maintained by the counseling department in each school;

(d) follow a student as the student progresses through each grade; and

(e) when applicable, transfer with a student between LEAs.

(4) An LEA shall ensure that a student's course registration and class schedule is consistent with the student's plan for college and career readiness.

(5) An LEA shall require all schools with the LEA to document parental involvement and participation in a student's planning meetings.

(6) An LEA shall ensure the implementation for a plan for college and career readiness in consistent with the LEA's program goals and includes the following conference meetings:

(a) at least one individual and one group conference meeting with a parent, school counselor and student during the student's:

(i) grades 7 and 8;

(ii) grades 9 and 10; and

(iii) grades 11 and 12.

(b) other meetings as needed.

#### **R277-462-6. School Counselor to Student Ratios.**

(1) To qualify for funding described in Section R277-462-4 an LEA shall have at least one school counselor for every 350 students.

(2) For purposes of counting toward fulfillment of this ratio, a school counselor shall be:

(a) a full-time equivalent within an LEA; and

(b) Board certified and licensed.

(3) An LEA may be considered compliant with subsection (1) if less than .25 school counselors would be needed for the LEA to meet the required ratio.

(4) No later than October 1 of each year an LEA shall certify to the Superintendent the school counselor to student ratio.

(5) No later than June 1 from submitting the LEA's certified ratio, an LEA that does not meet the required ratio in subsection (1) shall submit to the Board a plan outlining a reasonable timeline and method for achieving compliance.

(6) If an LEA fails to fulfill the plan described in subsection (5), the LEA may be placed on a corrective action plan described in R277-114.

(7) If an LEA fails to complete the corrective action plan described in subsection (6), the LEA shall be referred to the Board for further corrective action including loss of distributed funds.

**R277-462-7. Allowable Use of Distributed Funds.**

(1) An LEA shall ensure all funds distributed are used for any of the following purposes:

- (a) a school collaborative classroom curriculum;
- (b) personnel costs including clerical positions that support the plan for college and career readiness process;
- (c) career center equipment or materials such as computers, media equipment, computer software, or occupational information;
- (d) professional development for personnel involved in the program;
- (e) expenses of extended hours which are required to run the program; and
- (f) membership in the American School Counselor Association (ASCA) for one or more school counselors per school per year.

(2) An LEA may not use funds to supplant currently existing personnel or programs.

**R277-462-8. Variances, Accountability, and Reporting.**

(1) A new LEA or existing LEA with a new program, may receive funding under R277-462 if the new LEA:

- (a) has received accreditation pursuant to R277-410; and
- (b) has an approved program pursuant to R277-462.

(2) A new LEA or existing LEA with a new program, that does not meet the school counselor to student ratio described in Section R277-462-6 may receive a funding distribution after two years of planning, training and program implementation.

(3) No later than October 1, an LEA shall certify annually all previously qualified schools continue to meet the program criteria.

(4) An LEA shall provide data and information about the LEA's program as requested by the Superintendent.

**KEY: public education, counselors**

**Date of Enactment or Last Substantive Amendment: December 16, 2020**

**Notice of Continuation: May 23, 2019**

**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-2-304(2)(b); 53E-3-401(4)**