

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1322**

Introduced by Vargas, 7; Conrad, 46.

Read first time January 17, 2024

Committee:

- 1 A BILL FOR AN ACT relating to schools; to require that school counselors
- 2 spend a certain percentage of such counselor's time during normal
- 3 school hours in the direct counseling of students as prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) For purposes of this section:

2           (a) Appraisal and advisement means the act of assisting students in  
3 the exploration of such student's abilities, interests, skills, and  
4 achievements to make decisions and develop immediate and long-range goals  
5 and plans;

6           (b) Consultation, collaboration, and referrals means (i) the act of  
7 providing to and receiving from individuals or groups of individuals  
8 information and counsel in support of a student's needs, (ii) working  
9 with parents, teachers, administrators, school staff, and community  
10 stakeholders to promote achievement for a specific student or to promote  
11 systemic change to address the needs of groups of students, such as  
12 underserved or underrepresented groups of students in the school, and  
13 (iii) referring students to outside providers and resources as necessary;

14           (c) Crisis counseling means the act of providing counseling to  
15 individual students or small groups of students to help such students  
16 navigate critical situations, such as emergencies and crises;

17           (d) Direct counseling includes (i) school counseling curriculum,  
18 lessons, and activities, (ii) individual counseling, (iii) small group  
19 counseling, (iv) crisis counseling, (v) appraisal and advisement, and  
20 (vi) consultation, collaboration, and referrals. Direct counseling does  
21 not include program planning and school support;

22           (e) Fair-share responsibilities includes coordinating and  
23 administering testing, supervising lunch, supervising recess, serving as  
24 a substitute teacher, and performing other administrative duties;

25           (f) Individual counseling means the act of providing developmentally  
26 appropriate, goal-focused, and brief counseling sessions to individual  
27 students to address issues related to mental health and wellness, social  
28 and emotional development, academic achievement, and college and career  
29 readiness;

30           (g) Program planning and school support means the act of defining,  
31 planning, managing, and assessing school counseling activities and

1 contributing to fair-share responsibilities provided by other educators  
2 at the school. Program planning and school support includes activities  
3 such as reviewing data, creating annual student outcome goals, creating  
4 action plans and results reports, holding annual administrative  
5 conferences, creating annual and weekly calendars, and facilitating  
6 school counseling sessions;

7 (h) School counseling curriculum, lessons, and activities means the  
8 act of providing data-informed lessons or activities at the classroom  
9 level on a schoolwide basis to provide students with the knowledge,  
10 attitudes, and skills appropriate for such student's developmental  
11 levels; and

12 (i) Small group counseling means the act of providing counseling to  
13 small groups of students with similar developmental or situational  
14 challenges with the goal of improving achievement, attendance, mental  
15 health or wellness, or behavioral outcomes.

16 (2) Beginning with the 2025-26 school year, each school counselor  
17 employed by a school board in a public elementary, middle, or high school  
18 shall spend at least eighty percent of such counselor's time during  
19 normal school hours in the direct counseling of students and may spend up  
20 to twenty percent of such counselor's time during school hours on program  
21 planning and school support.

22 (3) Each school board shall adopt a policy consistent with this  
23 section.