

R277-464 received final approval by the Utah State Board of Education on September 5, 2019. R277-464 is published in the October 1, 2019 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of November 7, 2019.

**R277. Education, Administration.**

**R277-464. School Counselor Direct and Indirect Services.**

**R277-464-1. 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-3-518, which directs the Board to make rules specifying:

(i) the recommended direct and indirect services a school counselor may provide;

(ii) the recommended amount of time a school counselor may spend on direct and indirect services; and

(iii) activities for a school counselor.

(2) The purpose of this rule is to establish standards and time limits for direct and indirect services provided by a counselor within an LEA.

**R277-464-2. Definitions.**

(1) "Direct services" means services provided to a student ~~through the implementation of a program~~ consistent with the School Counselor Services document incorporated by reference in Section R277-464-3.

(2) "Indirect services" means all other services consistent with the School Counselor Services document incorporated by reference in Section R277-464-3. ~~that support the administration and program management of a program other than direct services and non-school counseling activities.~~

(3) "Non-school counselor activities" means activities inconsistent with direct and indirect services and deemed inappropriate consistent with the School Counselor Services document incorporated by reference in Section R277-464-3. ~~as outlined in the program model.~~

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~~(4) "Program" has the same definition as set forth in Subsection R277-462-2(2).~~

~~(5) "Program model" means the College and Career Readiness School Counseling Program Model incorporated by reference in Section R277-462-3.~~

~~(4) "School counselor" means the same as the term is defined in Subsection R277-462-2(3).~~

### **R277-464-3 Incorporation of School Counselor Services Document.**

~~(1) This rule incorporates by reference the School Counselor Services Document, August 2019, which lists approved direct services and indirect services provided by a school's counseling program.~~

~~(2) A copy of the School Counselor Services Document is located at:~~

~~(a) <https://www.schools.utah.gov/file/d53963de-f5cb-456f-8502-2bc8ca7769cd>; and~~

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

### **R277-464-4. Time Allotment for Direct and Indirect Services.**

~~(1) An LEA shall ensure the time allotment for implementation of a school's program be allocated in the following ways:~~

~~(a) 85% of a school program's counselor's aggregate time is devoted to providing direct services to students, including:~~

~~(i) collaborative classroom instruction;~~

~~(ii) assisting in creating a plan for college and career readiness;~~

~~(iii) dropout prevention with efforts, including student social and emotional supports; and~~

~~(iv) providing supports for a student's needs consistent with the program.; and~~

~~(b) no more than 15% of a school program's counselor's aggregate time is devoted to indirect services including:~~

~~(i) faculty meetings;~~

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(ii) administrative duties related to the program [management];

(iii) professional development of a school counselor; and

(iv) leadership meetings.

(2) An LEA shall ensure all direct and indirect services are consistent with the listed appropriate usage of time provided in the School Counselor Services document incorporated by reference in Section R277-464-3.

(3) An LEA shall ensure all appropriate and prohibited inappropriate activities are consistent with the School Counselor Services document incorporated by reference in Section R277-464-3, including the elimination of non-school counseling duties such as test coordination and administration.

(4) An LEA that receives funds pursuant to R277-462 shall be subject to the requirements of this rule and all additional requirements as described in R277-462. and violates this section shall be subject to the corrective action described in Subsections R277-462-6(5), (6), and (7). provided a written notice of non-compliance by the Superintendent and given a 120-day cure period days to come into compliance.

(4) If an LEA fails to cure within 120 days, the LEA shall be placed on a corrective action plan outlined in R277-114.

(5) If an LEA fails to complete the corrective action plan described in subsection (5), the LEA shall be referred to the Board for further corrective action including loss of distributed funds provided by R277-462.

#### **R277-464-5. Annual Assurance and Compliance.**

An LEA shall provide an annual assurance of intent to comply with the time allocation described in Section R277-464-4 through the annual assurances document described in R277-108.

**KEY: school counselor, services**

**Date of Enactment or Last Substantive Amendment:**

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**Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4), 53E-3-518**