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To: BOCES District Superintendents
Superintendents of Public School Districts
Principals of Public Schools
School Counselors

From: Renée L. Rider

Subject: Amendments to Commissioner's Regulations Related to School Counseling

This memo is to inform you that amendments to Commissioner's Regulations related to school counseling were adopted by the Board of Regents effective, July 1, 2017. The amended regulations impact the comprehensive developmental school counseling program beginning with the 2019-2020 school year and are available at: <http://www.regents.nysed.gov/common/regents/files/517brca14.pdf>. A guidance document is being developed to provide additional direction for school districts as they implement the new regulations. Please share this information with school counselors and other pupil personnel staff in your district and schools.

A school counselor's role is central to the success of students. School counselors support students through individual and group counseling, college and career exploration instruction, assistance in crisis situations, and referrals to school social workers, school psychologists or other professionals when specialized interventions are required for student success in school.

The New York State Education Department believes that the amended school counseling regulations will help increase opportunities for all students to be successful. It is important for students to have access to a certified or licensed school counselor in the early years to help inspire young students to strive for success and consider college and career opportunities. It is equally important to emphasize the positive effects that school social workers, school psychologists, school counselors, school nurses, health educators, teachers, and parents can have on student success when they collaborate and work as a team, offering their respective professional expertise to support the "whole child."

In addition to the regulatory amendments, the Department's draft Every Student Succeeds Act (ESSA) State Plan encourages schools and districts to adopt a "Whole School, Whole Community, Whole Child" model to promote positive school climates that, in turn, improve student outcomes. School climate is the way school culture affects a child's sense of safety and acceptance, and consequently is a critical determinant of their ability to focus on the task of learning.¹ Research shows that the whole child approach with an emphasis on social emotional learning (SEL) will lead to improved outcomes for children. In fact, the quality of the school climate may be the single most predictive factor in any school's capacity to promote student achievement.²

¹ Dessel, A. (2010) Prejudice in schools: promotion of an inclusive culture and climate. *Education and Urban Society*, 42(4), 407-429.

² Shindler, J., Jones, A.D., Taylor, C., Cardenia, H. (20-16). The school climate-student achievement connection: If we want achievement gains, we need to begin by improving climate. *Journal of School Administration and Development* 1(1), 9-16.

Highlights of the amendments to Commissioner’s regulation § 100.2(j) Guidance programs and comprehensive developmental school counseling/guidance programs

Old Requirement	New Requirement
Each school district shall have a guidance program for all students.	Beginning with the 2019-2020 school year, each school district shall have a comprehensive developmental school counseling/guidance program ³ for all students in grades kindergarten (K) through grade 12. Each school district shall also ensure that all students in grades kindergarten through twelve have access to a certified school counselor(s). For the city school district of the City of New York and the city school district of the City of Buffalo, this shall include a licensed guidance counselor(s) pursuant to part 80 of the Commissioner’s regulations.
In grades K-6, the program shall be designed in coordination with the teaching staff...	Beginning with the 2019-2020 school year, in grades kindergarten through five, the program shall be designed by a certified school counselor in coordination with teaching staff and any appropriate pupil personnel service providers...
In grades 7-12, the program shall include an annual review of each student’s educational progress and career plans, with such reviews to be conducted with each student individually or with small groups by personnel certified or licensed as school counselors.	Beginning with the 2019-2020 school year, for students in grades six through twelve, certified school counselors shall provide an annual individual progress review plan, which shall reflect each student’s educational progress and career plans. For a student with disability, the plan shall be consistent with the student’s individualized education program.
Each school district shall develop a district plan which sets forth the manner in which the district shall comply with the requirements.	Beginning with the 2019-2020 school year, each school district shall develop district-wide and building-level comprehensive developmental school counseling/guidance plans which set forth the manner for compliance with this subdivision. Such district and building level plans shall be updated annually, available for review at the district offices and each school building, and made available on the district’s website.
NA	Each school district shall establish a comprehensive developmental school counseling/guidance program advisory council to be comprised of representative stakeholders (such as parents, members of the board of education, school building and/or district leaders, community-based service providers, teachers, certified school counselors and other pupil personnel providers in the district including school social workers and/or school psychologists). The advisory council shall meet no less than twice each year for the purpose of reviewing the comprehensive developmental school counseling/guidance program plan and advising on the implementation of the school counseling/guidance program.

Should you have any questions or need clarifications, please email StudentSupportServices@NYSED.gov or call 518-486-6090 for assistance.

³ see the American School Counseling Association (ASCA) Model, <https://www.schoolcounselor.org/school-counselors-members/asca-national-model> or other nationally recognized model