

**Senate Bill No. 272**

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Passed the Senate August 24, 2009

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*Secretary of the Senate*

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Passed the Assembly August 17, 2009

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 49600 of the Education Code, relating to educational counseling.

## LEGISLATIVE COUNSEL'S DIGEST

SB 272, Wiggins. Educational counseling.

Existing law authorizes the governing board of any school district to provide a comprehensive educational counseling program for all pupils enrolled in the district. Existing law requires that educational counseling include academic counseling, in which pupils receive counseling regarding establishment and implementation of educational plans, achievement of proficiency standards, completion of required curriculum, and access to, and success in, higher education, and career and vocational counseling, in which pupils are assisted in planning for the future, becoming aware of their career potential, developing realistic perceptions of work, and relating to the work world.

This bill would state legislative intent relating to the role of school counselors and counseling programs. The bill would, to align academic counseling with the Middle and High School Supplemental Counseling Program, authorize the academic counseling component of educational counseling to also include an individualized review of pupil's academic and department records and of his or her career goals, and the opportunity for a counselor to meet with each pupil and his or her parents or legal guardian to explain the academic progress needed to complete middle or high school, pass the high school exit examination, and be eligible for admission to a 4-year institution of postsecondary education and the availability of career technical education, among other things.

The bill would authorize the career and vocational counseling component of educational counseling to include identifying personal interests, skills, and abilities, career planning, course selection, and career transition, and assisting pupils to understand the changing work environment, the effect of work on lifestyle, the relationship between academic achievement and career success, the importance of maximizing career options, the value of

participating in career technical education and work-based learning activities and programs, and the need to develop essential employable skills and work habits, among other things.

The bill would require ongoing professional development related to career and vocational counseling to include strategies for pupils pursuing postsecondary education, career technical education, multiple pathways, college, and global career opportunities.

*The people of the State of California do enact as follows:*

SECTION 1. Section 49600 of the Education Code is amended to read:

49600. (a) The governing board of any school district may provide a comprehensive educational counseling program for all pupils enrolled in the district.

For purposes of this section, “educational counseling” means specialized services provided by a school counselor possessing a valid credential with a specialization in pupil personnel services who is assigned specific times to directly counsel pupils.

(b) It is the intent of the Legislature that school counselors do all of the following:

(1) Engage with, advocate for, and provide support for all pupils with respect to learning.

(2) Plan, implement, and evaluate programs to promote the academic, career, personal, and social development of all pupils.

(3) Use multiple sources of information to monitor and improve pupil behavior and achievement.

(4) Collaborate and coordinate with school and community resources.

(5) Promote and maintain a safe learning environment for all pupils.

(6) Engage in continued development as a professional school counselor.

(c) It is the intent of the Legislature that a school district that provides educational counseling to its pupils implement structured and coherent counseling programs.

(d) Educational counseling shall include, but not be limited to, all of the following:

(1) Academic counseling, in which pupils receive counseling in the following areas:

(A) Establishment and implementation, with parental involvement, of the pupil's immediate and long-range educational plans.

(B) Optimizing progress towards achievement of proficiency standards.

(C) Completion of the required curriculum in accordance with the pupil's needs, abilities, interests, and aptitudes.

(D) Academic planning for access and success in higher education programs including advisement on courses needed for admission to public colleges and universities, standardized admissions tests, and financial aid.

(E) In addition, to align academic counseling with the Middle and High School Supplemental Counseling Program, academic counseling may also include:

(i) Individualized review of the academic and department records of a pupil.

(ii) Individualized review of the pupil's career goals, and the available academic and career technical education opportunities and community and workplace experiences available to the pupil that may support the pursuit of those goals.

(iii) Opportunity for a counselor to meet with each pupil and, if practicable, the parents or legal guardian of the pupil to discuss the academic and department records of the pupil, his or her educational options, the coursework and academic progress needed for satisfactory completion of middle or high school, passage of the high school exit examination, eligibility for admission to a four-year institution of postsecondary education, including the University of California and the California State University, and the availability of career technical education. That discussion shall also address the availability of intensive instruction and services as required pursuant to subdivision (c) of Section 37254, for up to two consecutive academic years after the completion of grade 12 or until the pupil has passed both parts of the high school exit examination, whichever comes first, for those pupils who have not passed one or both parts of the high school exit examination by the end of grade 12. The educational options discussed at the meeting shall include, to the extent these services are available, the college preparatory program and career technical education programs, including regional occupational centers and programs

and similar alternatives available to pupils within the school district.

(iv) Identification of pupils who are at risk of not graduating with the rest of their class, are not earning credits at a rate that will enable them to pass the high school exit examination, or do not have sufficient training to allow them to fully engage in their chosen career.

(v) In schools that enroll pupils in grades 10 and 12, development of a list of coursework and experience necessary to assist each pupil in his or her respective grade who has not passed one or both parts of the high school exit examination or has not satisfied, or is not on track to satisfy, the curricular requirements for admission to the University of California and the California State University, and to successfully transition to postsecondary education or employment.

(vi) In schools that enroll pupils in grade 7, development of a list of coursework and experience necessary to assist each pupil in grade 7 who is deemed to be at the far-below-basic level in English language arts or mathematics pursuant to the California Standards Tests administered to pupils in grade 6, to successfully transition to high school and meet all graduation requirements, including passing the high school exit examination.

(vii) In schools that enroll pupils in grade 7, development of a list of coursework and experience necessary to assist each pupil in grade 7 to begin to satisfy the curricular requirements for admission to the University of California and the California State University.

(viii) Provision of a copy of the lists developed pursuant to clauses (vi) and (vii) to a pupil and his or her parent or legal guardian, ensuring that the list of coursework and experience is part of the cumulative records of a pupil.

(ix) Informing each pupil who has failed to pass one or both parts of the high school exit examination of the option of intensive instruction and services.

(x) Development of a list of coursework and experience for a pupil enrolled in grade 12 including, in addition to the items identified in clauses (iv) to (ix), inclusive, options for continuing his or her education if he or she fails to meet graduation requirements. These options shall include, but not be limited to, all of the following:

- (I) Enrolling in an adult education program.
- (II) Enrolling in a community college.
- (III) Continuing enrollment in the pupil's current school district.
- (IV) Continuing to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until the pupil has passed both parts of the high school exit examination, whichever comes first.

(xi) Provision of a copy of the list of coursework and experiences developed pursuant to clause (x) to the pupil and his or her parent or legal guardian, ensuring that the list of coursework and experience is part of the cumulative records of a pupil.

(xii) Offering and scheduling an individual conference with each pupil in grades 10 and 12 who has failed to pass one or both parts of the high school exit examination or has not satisfied, or is not on track to satisfy, the curricular requirements for admission to the University of California and the California State University and to successfully transition to postsecondary education or employment, and with each pupil in grade 7 who is deemed to be at the far-below-basic level in English language arts or mathematics pursuant to the California Standards Tests and is unlikely to successfully transition to high school and meet all graduation requirements, including passing the high school exit examination, and with his or her parent or legal guardian, and a school counselor. The individual conference shall be scheduled, to the extent feasible, according to the following requirements:

(I) For a pupil enrolled in grade 7, the conference shall occur before January of that school year in which the pupil is enrolled in grade 7.

(II) For a pupil enrolled in grade 10, the conference shall occur between the spring of that school year in which the pupil is enrolled in grade 10 and the fall of the following school year in which the pupil would be enrolled in grade 11. For a school operating on a multitrack, year-round calendar, the conference for a pupil enrolled in grade 10 shall occur in the timeframe that is equivalent to that specified timeframe for a school operating on a traditional calendar.

(III) For a pupil enrolled in grade 12, the conference shall occur after November of that school year in which the pupil is enrolled in grade 12, but before March of the same school year. For a school operating on a multitrack, year-round calendar, the conference for a pupil enrolled in grade 12 shall occur in the timeframe that is

equivalent to that specified timeframe for a school operating on a traditional calendar.

(xiii) Information provided by the school counselor, during the individual conference described in clause (xii), to a pupil and his or her parent or legal guardian regarding all of the following:

(I) Consequences of not passing the high school exit examination.

(II) Programs, courses, and career technical education options available to the pupil as needed for satisfactory completion of middle or high school.

(III) Cumulative records and transcripts of the pupil.

(IV) Results of standardized and diagnostic assessments of the pupil.

(V) Remediation strategies, high school courses, and alternative education options available to the pupil, including, but not limited to, informing the pupil of the option to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until the pupil has passed both parts of the high school exit examination, whichever comes first.

(VI) Information on postsecondary education and training.

(VII) The score of the pupil on the English language arts or mathematics portion of the California Standards Test administered in grade 6, as applicable.

(VIII) Eligibility requirements, including coursework and test requirements, and the progress of the pupil toward satisfaction of those requirements for admission to four-year institutions of postsecondary education, including the University of California and the California State University.

(IX) The availability of financial aid for postsecondary education.

(2) Career and vocational counseling, in which pupils are assisted in doing the following:

(A) Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition.

(B) Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success.

(C) Developing realistic perceptions of work, the changing work environment, and the effect of work on lifestyle.

(D) Understanding the relationship between academic achievement and career success, and the importance of maximizing career options.

(E) Understanding the value of participating in career technical education and work-based learning activities and programs, including, but not limited to, service learning, regional occupational programs and centers, partnership programs, job shadowing, and mentoring experiences.

(F) Understanding the need to develop essential employable skills and work habits.

(G) Understanding the variety of four-year colleges and universities, community college vocational and technical preparation programs, as well as admission criteria and enrollment procedures.

(3) Personal and social counseling, in which pupils receive counseling pertaining to interpersonal relationships for the purpose of promoting the development of their academic abilities, careers and vocations, personalities, and social skills.

(e) Ongoing professional development related to career and vocational counseling shall include strategies for counseling pupils pursuing postsecondary education, career technical education, multiple pathways, college, and global career opportunities.

(f) Nothing in this section shall be construed as prohibiting persons participating in an organized advisory program approved by the governing board of a school district, and supervised by a school district counselor, from advising pupils pursuant to the organized advisory program.

(g) Notwithstanding any provisions of this section to the contrary, any person who is performing these counseling services pursuant to law authorizing the performance thereof in effect before January 1, 1987, shall be authorized to continue to perform those services on and after that date without compliance with the additional requirements imposed by this section.

















Approved \_\_\_\_\_, 2009

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*Governor*