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State Superintendent of Schools

Memorandum

TO: Local Supervisors of School Counseling & Directors of Special Education

FROM: Mary L. Gable, Assistant State Superintendent
Division of Student, Family, and School Support/Academic Policy

Marcella E. Franczkowski, Assistant State Superintendent
Division of Special Education/Early Intervention Services

DATE: March 26, 2018

SUBJECT: Guidelines for the Role of the School Counselor

In 1994, the Maryland State Department of Education (MSDE) developed a document to address questions regarding the role of school counselors in the special education process. The MSDE updated the language of the 1994 document in 2008 to reflect changes in nomenclature, as well as reauthorization of the Individuals with Disabilities Education Act (IDEA) and amendments to State regulations. MSDE staff members have again updated the document, this time contextualizing the school counselor's role in both general and special education. The attached document, entitled *Guidelines for the Role of the School Counselor* supersedes the 2008 document. These changes are necessary in order to provide updated information regarding the role of school counselors in identifying students who may need special services and the services they offer to all students, including students with disabilities. Updates are based on two recent publications by the American School Counselor Association (ASCA), its 2012 *National Model and Standards* and its 2016 *Students with Disabilities Position Statement*.

The updates address considerations for the Individualized Education Program (IEP) team when school counselors are involved in the IEP process. Such considerations include:

1. The school counselor being present at IEP team meetings where it may be determined that he or she will be delivering counseling as a related service; and
2. The effect that assigning counseling as a related service has on the school counselor's ability to provide counseling services school-wide.

If you have any questions or need additional information, please contact Lynne Muller, Section Chief, Student Services and School Counseling Specialist at (410) 767-3364 or email at lynne.muller@maryland.gov. Jonathan Turner, Specialist for School Counseling, is also available to answer questions or provide additional information. Mr. Turner may be contacted at (410) 767-0288 or email at jonathan.turner@maryland.gov.

Attachment

C: Directors of Student Services

Guidelines for the Role of the School Counselor

The Role and Services of School Counselors for All Students

School counseling programs in the State of Maryland operate pursuant to COMAR 13A.05.05.02. Individual school counselors are committed to helping *all* students realize their potential and meet or exceed academic standards. To this end, school counselors participate as members of the school's educational team and use the skills of leadership, advocacy, and collaboration to help all students meet with academic success. "To achieve maximum program effectiveness," ASCA recommends school counselors "spend 80 percent or more of their time in direct and indirect services to students" (ASCA National Model, 2012). These services focus on academic, career, and/or social-emotional needs, as appropriate.

Direct Services

Direct services are face-to-face, virtual, individual, group, or classroom interactions between school counselors and students, and should include the following:

- School counseling core curriculum;
- Individual student planning; and
- Responsive services.

Information and services that are needed by, and appropriate for, all students are frequently provided through a large group format. These activities usually reflect developmental and prevention issues, and can be thought of as the core of the school counseling "curriculum." Prevention, intervention, and remediation activities are offered to meet the needs of specific students and/or groups of students, and may be provided through small groups or individual direct service formats. The activities offered relate to goals identified in the school improvement plan and address identified student needs.

Indirect services

Indirect services are provided on behalf of students as a result of the school counselor's interactions with others, including:

- Referrals for assistance;
- Consultation and collaboration with families, teachers, other educators, and community organizations; and
- Other activities that fall in line with the appropriate duties of a school counselor as detailed in this statement and in the ASCA National Model (2012).

Pursuant to each county's Board-approved School Counseling Program, a plan for each school's counseling program should be developed annually to delineate and define the direct and indirect services to be provided. The plan should be data-driven, inclusive of State and local school system mandates, and respond to the specific needs of the school. The comprehensive plan should be developed in conjunction with the building administrator and the central office supervisor who holds the required credentials to supervise school counseling services.

School counselors are to provide the same services to students with disabilities as they do to any other student within the school. Students with disabilities are to be included in activities such as orientation, group/classroom guidance sessions, and career development activities. School counselors are also, as described in the next section, called upon to support the individualized needs of students with disabilities. It is important to keep in mind the amount of time that a school counselor is assigned to each school, and seek additional resources when students with disabilities require services greater than those that can be provided by existing staff. (See Counseling as a Related Service).

The Role and Services of School Counselors Provided for Students with Disabilities

School counselors provide direct and indirect services to students in the least restrictive environment—as determined by each student’s individualized education program (IEP)—and in inclusive settings whenever possible. School counselor responsibilities pertaining to students with disabilities may include, but are not limited to:

- Providing individual and/or group counseling to students with special needs within the scope of a comprehensive school counseling program;
- Encouraging family involvement in the educational process;
- Consulting and collaborating with staff and families to understand the special needs of a student and understanding the adaptations and modifications needed to assist the student;
- Advocating for students with special needs in the school and in the community;
- Contributing to the school’s multidisciplinary team within the scope and practice of the comprehensive school counseling program to identify students who may need to be assessed to determine special education eligibility;
- Collaborating with other related student support professionals (e.g., school psychologists, physical therapists, occupational therapists, special education staff, speech and language pathologists) in the delivery of services;
- Providing short-term, goal-focused counseling in instances where it is appropriate to include these strategies as a part of the IEP; and
- Providing assistance with developing academic, transition, and postsecondary plans for students with IEPs as appropriate.

According to ASCA guidelines, the following are not part of the professional school counselor’s role and function:

- Making singular decisions regarding placement or retention;
- Serving in any supervisory capacity related to implementation of the Individuals with Disabilities Education Act (IDEA);
- Serving as the local school system representative for the team writing the IEP;
- Coordinating, writing, or supervising the implementation of the IEP;
- Providing long-term therapy;
- Serving as case manager for a student with an IEP; and
- Serving as the Services for Students with Disabilities (SSD) Coordinator for College Board and submitting requests for accommodations.

Counseling as a Supplementary/Nonacademic/Extracurricular Service

For students with disabilities, counseling may be a supplementary service, nonacademic service, and/or an extracurricular service in which they participate as would any other student within the school. A student’s IEP team is required to consider these services in order to ensure the student is educated with students who are not disabled, to the maximum extent appropriate.

Individualized Education Program (IEP) Team

A student’s IEP team consists of a number of individuals, in accordance with federal and State regulations (34 C.F.R. § 300.321 & COMAR 13A.05.01.07). A school counselor is not routinely a member of a student’s IEP team. Rather, the school counselor’s participation on the IEP team is in response to a need for his or her input regarding specific issues relative to the student. The school counselor should be involved in any discussion regarding the inclusion of counseling services on the IEP. Put simply, school counseling services should not be added to the IEP without the school counselor’s input.

It is appropriate for a school counselor to participate in a student’s IEP team meeting if:

- The school counselor has been providing services to the student and those services are germane to the discussion; and
- The school counselor is present for only that part of the meeting for which he or she is needed.

It is not appropriate for a school counselor to be part of the IEP meeting if:

- The school counselor is unfamiliar with the student(s) being discussed; and
- The school counselor's expertise is not needed.

Counseling as a Related Service

Counseling is listed in IDEA and State regulation as a possible related service (34 C.F.R. § 300.34 & COMAR 13A.05.01.03). A student's need for counseling as a related service is determined by the student's IEP team. If the student's IEP team determines the student requires counseling to benefit from special education, then the student's IEP will reflect the related service, including its location, frequency, and duration. Individualized decisions about counseling as a related service are to be made by the student's IEP team with the school counselor's participation. The intensity of a student's needs or specific therapeutic concerns may require a referral of the student to other providers, as determined appropriate by the student's IEP team. The school counselor should be involved in the IEP team's discussion if the intent is for the school counselor to assume that responsibility so that the delivery of service is not delayed. This is important because the school counselor must balance his or her comprehensive school counseling program with the individualized related services required by the IEP. The IEP team may need to seek additional service providers depending upon the resources available within the school.

IEP Mandated Services

Once incorporated into the IEP, each aspect of the special education and related services identified by the IEP team as necessary to provide a free, appropriate public education must be provided to the student. In other words, counseling must be provided for those students for whom it is designated on their IEP. Changes or a modification to the student's services occurs only through IEP team review and revision of the student's IEP. Therefore, the school counselor's input should be considered when revisions to a student's IEP would impact services provided by the school counselor.

Case Management

The role of the school counselor is to provide developmental/preventative and remedial/ intervention services to students. Since counseling for a student with a disability may be provided as a supplementary, nonacademic, extracurricular, or related service, it is inappropriate for the school counselor to serve as a student's case manager. If the IEP team for a student with a disability identifies short-term or long-term counseling as a service needed by the student, the school counselor would be expected to collaborate with the student's case manager and other service providers, if the school counselor is the provider of the service.

Summary

The school counselor's primary responsibility is to provide a developmental school counseling program for all students. School counselors also provide related services to students with disabilities as appropriate on a case-by-case basis. School counselors should provide input to the student's IEP team regarding issues germane to the student when the IEP team makes decisions about the provision of counseling services. The school must keep in mind the amount of time the school counselor is assigned to each school, and seek additional resources when the needs of students with disabilities require services greater than those that can be provided by existing staff.

References

American School Counselor Association, *The ASCA National Model: A Framework for School Counseling Programs* (2012).

American School Counselor Association, *The School Counselor and Students with Disabilities* (Adopted 1999; Revised 2004, 2010, 2013, 2016).