

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

Date:

(Filing No. S- )

**EDUCATION AND CULTURAL AFFAIRS**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE  
SENATE  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 59, L.D. 247, Bill, “An Act To Increase the Amount of Time School Counselors and Social Workers Spend Providing Students Direct and Indirect Counseling”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 20-A MRSA §4008-A** is enacted to read:

**§4008-A. School counselors and school social workers**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Direct services" means in-person interactions between a school counselor or school social worker and students that are within the scope of the duties of a school counselor or school social worker as established by the department by rule.

B. "Indirect services" means services provided by a school counselor or school social worker on behalf of students as a result of a school counselor's or school social worker's interactions with the students and others that are within the scope of the duties of a school counselor or school social worker as established by the department by rule.

C. "School counselor" has the same meaning as in section 4008, subsection 1, paragraph B.

D. "School social worker" has the same meaning as in section 4008, subsection 1, paragraph C.

**2. Direct and indirect services to students.** Each school counselor and school social worker shall spend at least 80% of the school counselor's or school social worker's time providing direct services to and indirect services on behalf of students.

**3. Rules.** The commissioner shall adopt rules to implement this section. The rules must include guidelines regarding the duties of school counselors, including that a school

**COMMITTEE AMENDMENT**

1 counselor deliver a comprehensive school counseling program, and guidelines regarding  
2 the duties of school social workers. Rules adopted pursuant to this subsection are major  
3 substantive rules as defined in Title 5, chapter 375, subchapter 2-A.'

4 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
5 section number to read consecutively.

6 **SUMMARY**

7 This amendment clarifies that direct services and indirect services must be within the  
8 scope of the duties of school counselors or school social workers as established by major  
9 substantive rules adopted by the Department of Education. The rules must include  
10 guidelines regarding the duties of school counselors, including that a school counselor  
11 deliver a comprehensive school counseling program, and guidelines regarding the duties  
12 of school social workers. The amendment also clarifies that each school counselor and  
13 school social worker must spend at least 80% of the school counselor's or school social  
14 worker's time providing direct services to and indirect services on behalf of students.