



*Testimony of*

*New York State School Counselor Association  
(NYSSCA)*

*By Marjorie Miller  
President Elect Elect*

*Joint Public Hearing: To review how school  
districts are spending Foundation Aid increases  
and ARP funds*

*October 5, 2021*

*Albany*

I am Marjorie Miller, the President Elect of the New York State School Counselor Association and am proud to represent nearly 1,500 members of NYSSCA. There are about 7,700 certified school counselors employed in New York State. I am also a school counselor at I.S 5, the Walter H. Crowley Intermediate School in Queens.

NYSSCA appreciates the opportunity to comment on how the increased Foundation Aid as well as American Rescue Plan funds have affected school counseling and other pupil personnel services throughout the state.

Thank you to Senate Education Chair Mayer, Senate NYC Education Chair Liu, Senate Committee on Budget and Revenue and all members of these committees and for your continued commitment to ALL children, their families, and our schools.

As has been stated in the notice for this hearing, the adopted 2021-22 Enacted Budget includes a historic commitment to public education by increasing Foundation Aid by \$1.4 billion (7.6%) and committing to full Foundation Aid funding over the next two years. Additionally, \$12 billion in federal covid funding was approved to pass directly to school districts. This includes \$3.85 billion in the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) and \$8.2 billion in the American Rescue Plan Act (ARP) and that adapted school district plans include how such funds will be used to address student performance and need, including but not limited to: (i) increasing graduation rates and eliminating the achievement gap; (ii) reducing class sizes; (iii) providing supports for students who are not meeting, or at risk of not meeting, state learning standards in core academic subject areas; (iv) addressing student social-emotional health; and (v) providing adequate resources to English language learners, students with disabilities, and students experiencing homelessness.

School counselors and other pupil personnel service providers were encouraged after the budget was enacted and ARP funds were distributed to be involved locally as districts were making decisions and writing plans for the use of the funds.

An allowable & recommended use of ARP funds is to provide mental health services and supports, including through the implementation of evidence-based full-service community schools and the hiring of counselors.

## **School Counseling Best Practices**

New York State has some of the newest and most comprehensive regulations governing school counseling program in the nation. Part 100.2j of NYSED regulations went into effect on September 1, 2019, in most of the state and September 1, 2020, in New York City Schools. Included in these regulations are the following:

### **The School Counseling Program**

- Each school district shall have a comprehensive developmental school counseling/guidance program, for all students in kindergarten through grade 12.
- Each school district shall ensure that all students in grades kindergarten through twelve have access to a certified school counselor(s).
- For all grades kindergarten through twelve, district and building level comprehensive developmental school counseling/guidance programs shall prepare students to participate effectively in their current and future educational programs as age appropriate.
  - Additionally, the program shall be designed to address multiple student competencies including career/college readiness standards, and academic and social/emotional development standards.

### **School Counseling Services- All Students Grades K-5**

- In grades kindergarten through five, the program shall be designed by a certified school counselor in coordination with the teaching staff, and any appropriate pupil personnel service providers.
  - The program shall be designed for the purpose of preparing students to participate effectively in their current and future educational programs, to provide information related to college and careers, and to assist students who may exhibit challenges to academic success, including but not limited to attendance or behavioral concerns.
  - The program shall also where appropriate make a referral to a properly licensed professional and/or certified pupil personnel service provider, as appropriate, for more targeted supports.

### **School Counseling Services- All Students Grades 6-12**

- 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.

## School Counseling Services- All Students Grades K-12

- counseling/ guidance core curriculum instruction shall be for the purpose of addressing student competencies related to career/college readiness, academic skills and social/emotional development by a certified school counselor(s).
- Other direct student services which may include, but need not be limited to, responsive services, crisis response, group counseling, individual counseling, appraisal, assessment and advisement, for the purpose of enabling students to benefit from the curriculum, assisting students to develop and implement postsecondary education and career plans, assisting students who exhibit attendance, academic, behavioral or adjustment concerns and encouraging parental involvement.
- herein shall prohibit certified or licensed school psychologists or certified or licensed school social workers pursuant to Part 80 of the Commissioner's regulations from providing other direct student services within their applicable scope of practice.

There is much more in the School Counseling Regulations relating to the implementation of the program and district and school accountability. This includes but is not limited to posting of plans on websites, the formation of an Advisory Council, school board program reports and annual review of the plan. The complete Guidance Document from NYSED is linked [HERE](#).

Included in the Regulation language as well as practice in the field, is the implicit idea that pupil personnel services in our schools is a team effort and includes the professions of certified school counselors, school psychologists, school social workers and school nurses. The need for these certified professionals is clear and the number and deployment of them will be unique in each setting based on student and community needs

Also implicit is that plans for school counseling program implementation will be unique in school districts and buildings in each locality because of differing levels of needs in each district.

This has become even more clear as students return from a year like no other. There are varieties of student and family needs and must be addressed by local school district using pupil personnel staff implementing their plans.

A New York State Council of School Superintendents (NYSCOSS) survey found two-thirds of chief school officers identify mental health services as a top funding priority in 2019.

Our goal over many years has been implementation of comprehensive school counseling program in all schools and this has been supported by the adoption of the new state regulations. Through this implementation of the regulations with fidelity, each student in the state will have access to the services of a certified school counselor.

## Comprehensive School Counseling Program Results

Research has revealed around the country that the implementation of Comprehensive School Counseling programs which includes the recommendation of a counselor of student ratio of no more than 1:250, leads to a variety of positive student outcomes.

Effectiveness Research shows:

- Lowering ratios allows school counselors to effectively deliver a comprehensive school counseling program to better meet students' academic, career and social/emotional needs. School counselor-to-student ratios may be optimal at 1:250, but grade level and socioeconomic factors of a district require close consideration.
- A growing body of research indicates comprehensive, data-driven school counseling programs improve a range of student learning and behavioral outcomes.
- There is strong evidence that elementary schools with comprehensive data-driven school counseling programs display higher academic outcomes compared to schools without such programs.
- Students who have greater access to school counselors and comprehensive school counseling programs are more likely to succeed academically and behaviorally in school; this is particularly true for students in high-poverty schools.
- Intentional efforts by school counselors can help reduce the racial disparities in proportions of students taking Advanced Placement courses.
- A school counseling intervention designed to be culturally- and language-appropriate can make a significant difference in reducing the achievement gap with Latina/Latino students with limited English proficiency
- School counselors can be a critical part of school improvement efforts in low-performing schools.
- School counselors can effectively assist underachieving students using a small group intervention.
- Targeted efforts by school counselors can improve students' learning behaviors, including study skills, time usage and persistence.
- Low student-to-school-counselor ratios combined with full implementation of the ASCA National Model can lead to more-informed college decision-making for graduating high school students.
- School counselors can help elementary-aged students increase their knowledge of occupations, raise their desire to pursue postsecondary education and learn more about themselves, their education and the world of work. Once school counselors can demonstrate that career- and college-readiness interventions improve both perception and outcome data for elementary-aged students, school counselors can more effectively advocate for implementing these types of programs within their schools.
- School counselors must be allotted the time and resources to provide underrepresented students and their families with an equitable opportunity to access the social capital necessary to make informed postsecondary decisions, especially in environments with large populations of underrepresented students. By doing so, school counselors may have

the potential to increase the number of underrepresented students attending two-year and four-year institutions or postsecondary certification programs.

- College counseling, as provided by school counselors, matters; high school students who saw their school counselor for college information were more likely to apply for college.
- High school students who have more access to school counselors (i.e., lower student-school counselor ratios) and related college and career counseling services are more likely to graduate and less likely to have behavioral problems.
- Highly qualified first-generation students are more likely to enroll in four year colleges if they have greater access to high school counselors (i.e., lower student-school counselor ratios).
- Students in schools with fewer school counselors (i.e., large student-to-school counselor ratios) are less likely to see the school counselor for college information.
- School counselors can provide critical support and information to foster the career development needs of immigrant students.
- Intentional efforts from school counselors can increase the numbers of Hispanic students who apply for college.
- School counselors focusing on interventions that enhance students' internal beliefs regarding their ability to succeed can serve as an essential foundation for later academic and life success.
- The results of this study support the types of social/ emotional learning and cognitive-learning outcomes possible when school counselors are positioned to deliver direct counseling services within the classroom or small-group setting.
- The presence of comprehensive school counseling programs is linked to an array of positive student outcomes ranging from better attendance to a stronger sense of connection to school.
- Research supports the value of school-wide positive behavioral support programs in improving the behavior of students; school counselors can play an important role in the success of these programs.
- A family focused group intervention can be implemented by school counselors to decrease school behavior problems among young children.
- School counselors can provide leadership in the early identification and prevention of high school students with depression and suicidal thoughts.
- School counselors can assist students of Mexican descent in building relationships in school and becoming more comfortable with their ethnic identity
- Multiple sources of evidence indicate that expanding school counseling services in elementary schools is associated with improvements in student learning, behavior and mental health.
- Stronger presence of school counselors in elementary schools reduces misbehavior and significantly improves boys' academic achievement.
- Fully implemented comprehensive school counseling programs with favorable student-to-school counselor ratios are associated with a range of positive student educational and behavioral outcomes.

A link to citations and details for this School Counseling Effectiveness Research is linked [HERE](#).

A recent Education Trust New York report shows that:

- Parents continue to be concerned about health and safety issues and the social-emotional development of their children — with heightened concern among Black and Latinx parents, whose communities have been disproportionately impacted by the pandemic.
- Parents, particularly Black and Latinx parents and parents from low-income households, are increasingly concerned about their child’s academic development and high school students’ transition to college and careers, and how the pandemic will affect their futures.
- As New York school districts are set to receive additional resources and federal funding, including funding through the American Rescue Plan Act (ARPA) and the Coronavirus, Response, and Relief Supplemental Appropriations Act (CRSSA), parents feel that it is important to prioritize academic and social-emotional supports for students.

These findings support previous studies showing that the pandemic only exacerbated previous inequities and concerns regarding services provided to low-income households.

[“Keeping Our Eye on Equity, Back to School, Not to Normal”](#), Education Trust New York, 2021

To summarize:

- Too often, school counselors are not available to students of color and students from low-income families.
- Data shows that New York is a state where, generally, we have a good ratio of counselors at the secondary level, but that there is unequal access to counselors depending on the school district/school/geographic area.
- Data also shows that at an elementary level, ratios are nearly 1000:1 at this point because of a lack of school counselors at this level.

[“Why School Counselors Matter”](#) The Education Trust, 2019

### **Increased Funding and Pupil Personnel Services**

The purpose of today’s hearing is to review how school districts are spending Foundation Aid increases and ARP funds. To gather information regarding increased employment of school counselors, school psychologists, school social worker and school nurses, NYSSCA deployed surveys to district superintendents and school counselors and school counseling leaders throughout the state. While these preliminary surveys do not provide ‘scientific’ research findings, we have gathered some interesting and possibly useful information.

## Survey Findings

Survey Item	Superintendent Response	School Counselor Response
Number of Responses	150	243
Type of School District	49% rural, 45% suburban, 6% urban	34% rural, 37% suburban, 29% urban
Did your district add school counselors 2021-2022?	61% No, 31% Yes	63% No, 26 % Yes
	Comments: -Difficulty finding candidates -Filled open position -Hired director	Comments: -In process of hiring counselors -Hiring other personnel
If new school counselors, how many?	.4 FTE to 5 FTE	1 FTE most common response 1 response that 2 counselors exceeded
If new school counselors, what level?	45% Elem., 15% MS, 26% HS, 18% K-12	42% Elem., 20% MS, 27% HS, 11% K-12
Did your district add school psychologists 2021-2022?	69% No, 25% Yes	75% No, 17% Yes
	Comments: -Difficulty finding candidates -Using retired psychologists	Comments: -Open positions, difficulty finding candidates
If new school psychologists, how many?	.4 FTE to 7 FTE	.5-3 FTE
If new school psychologists, what level?	24% Elem., 11% MS, 11% HS, 53% K-12	25% Elem., 19% MS, 32% HS, 26% K-12
Did your district add school social workers 2021-2022?	56% No, 41% Yes	62% No, 30% Yes
	Comments: -Trying-no applicants	Comments: -Posted positions -Maybe posting in future
If new school social workers, how many?	.4 FTE to 1 FTE	.2-4 FTE
If new school social workers, what level?	37% Elem., 26% MS, 30% HS, 30% K-12	31% Elem., 37% MS, 35% HS, 21% K-12
Did your district add school nurses 2021-2022?	75% No, 23% Yes	82% No, 7% Yes
	Comments: -Hired LPNs	Comments: -1 for isolation room

	-2 temp nurses	-They increased the pay to attract nurses to existing positions.
If new school nurses, how many?	.5 FTE to 2 FTE	1-5 FTE
If new school nurses, what level?	15% Elem., 17% MS, 9% HS, 44% K-12	3% Elem., 19% MS, 16% HS, 19% K-12
Do you have other comments regarding student services staffing and budgeting in your district or school?	<p>-We had added both a psychologist and a school counselor for the 2019-20 school year.</p> <p>-Our student to school counselor ratio is ~190:1</p> <p>-Your survey should also designate Small City School Districts of which there are 57 in NYS...you also needed to add a question about adding other mental health supports of which we added 5 Family Support Liaisons and 1 Social Emotional Learning Coach</p> <p>-We are doing many SEL activities not related to staffing but that will benefit for students and staff</p> <p>-We added a site based mental health clinic and an access liaison.</p> <p>-We are a rural school, and we cannot find applicants.</p> <p>-We need School Counselors and Psychologists desperately; however we cannot find any in our region. There needs to be a push to get our bright, young students to go into these professions. Currently we have no school psychologists and are contracting with retired psychologists because there are no candidates. Our</p>	<p>-Our budget is in the toilet. We are really running on fumes here with our whole staff</p> <p>-Very few if any were added as not sustainable from a one-time funding.</p> <p>-I would love to be able to add an additional counselor at the elementary level. I am hopeful we will be able to maintain this increased staffing when the Recovery Plan funds expire.</p> <p>-We are currently looking for more School Psychologists. None available in our area. Please send them our way</p> <p>-I wish school social workers were mandated at all levels. We do not have any in our school and as school counselors we are left to do much of the social worker role and we struggle with community resources and balancing this need with our regular school counselor responsibilities.</p> <p>-We already had an appropriate number of counselors and social workers, so I am fortunate that my district valued us prior to the current crisis.</p> <p>-Need School Counselors added to assist with transition</p>

	<p>schools need help in this area. Please! (X 4)</p> <ul style="list-style-type: none"> <li>-We added an outside organization called Homerun at the MS level to help 10 families.</li> <li>-We were able to add these services because we had access to COVID relief aid.</li> <li>-thank goodness for the ARP funds we could not have hired these 9 people if we did not have that money!</li> <li>-there are not support staff to properly handle the mental health issues we are facing</li> <li>-We are challenged by all the quarantine issues.</li> <li>-The funds cannot/should not be used for non-sustainable expenses.</li> <li>-ARP funds are being used to support the additional social work staff and psychology staff.</li> <li>-As you are aware, the candidate pool for social workers and school psychologists is very thin right now.</li> <li>-Your survey does not reflect a request for CURRENT numbers. This is important because although PPS staff were not added in 2021-22 they were in recent years creating very health student-counselor ratios. Thanks.</li> </ul>	<p>during the pandemic and beyond</p> <ul style="list-style-type: none"> <li>-During the pandemic, other districts added to their staff, we laid a counselor off.</li> <li>-Our school district for the past 25 years claims they have no funds and that we cannot afford to add staff.</li> <li>-strongly believe that we need to hire even more elementary school counselors in each district. I think each school needs at least one, full time, permanently (depending on the size). Not just "access to" one.</li> <li>-The Social Workers that were added are supposedly temporarily funded.</li> <li>-My district has no plans to use the money for staffing</li> <li>-There needs to be more school counselors per student to help offset the impact of remote and hybrid schedules. Students are behind with preparing for their post-secondary plans.</li> <li>-Our middle school counselor was added but it may not be a position that can continue after the 3 years of federal funding, and we really need this to be a tenured position/long term!</li> <li>-The counseling staff in our district were disappointed a mental health counselor was not added to our staff. Instead, our district hired a PR person and 2 part time instructional teachers.</li> <li>-I think there needs to be more than just "Guidance" on student to Counselor ratio; as</li> </ul>
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		<p>well as a difference between urban/rural/suburban. As 250:1 can look very different in all three areas. However, schools take this as guidance and there is never any change no matter how much money you throw at them. They did not use the money as many admin excuses were well once it "dries" up in 3 years how are we go to continue to pay for the extra person. There needs to be real legislation and real measures in place.</p> <p>-Virtually all requests made to enhance Student Services in our district were denied... Very disheartening.</p> <p>-PPS Personnel added in previous years.</p>
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## Conclusion

Again, thanks very much for this opportunity to submit testimony on these very important issues. We have found from our preliminary surveys of superintendents and school counselors that most districts have not added school counselors, school psychologists, school social workers or school nurses to their staffs this year. Some districts report a lack of qualified applicants and other report that they added positions in previous years. In order to get a better understanding of what services are provided, to whom, at what level, and where in the state, further research should be conducted.

We reiterate that New York has some of the most comprehensive regulations regarding school counseling in the country. We feel that if these regulations were implemented with fidelity and that if school counselors, psychologists, social workers, and nurses are looked at as a team providing necessary Tier 1, Tier 2, and Tier 3 interventions student outcomes would improve around the state.

We agree with the NYSPTA which says “The pandemic has drastically increased the need for mental health services for students for many reasons, including but not limited to trauma, loss of loved ones, isolation, depression, and anxiety. NOW is the time where we need MORE services for students, MORE counselors, social workers, psychologists and professional and support staff to see that each child, no matter their zip code, is adequately supported.” 2021

We look forward to a time when these services are fully funded for the benefit of all students.