

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

**SENATE BILL 279
RATIFIED BILL**

AN ACT AMENDING THE PROFESSIONAL COUNSELORS ACT TO MODIFY EDUCATIONAL QUALIFICATIONS FOR THE PRACTICE OF COUNSELING AND TO REQUIRE LOCAL BOARDS OF EDUCATION TO ADDRESS SEX TRAFFICKING PREVENTION AND AWARENESS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-336 reads as rewritten:

"§ 90-336. Title and qualifications for licensure.

(a) Each person desiring to be a licensed professional counselor associate, licensed professional counselor, or licensed professional counselor supervisor shall make application to the Board upon such forms and in such manner as the Board shall prescribe, together with the required application fee.

(b) The Board shall issue a license as a "licensed professional counselor associate" to an applicant who applies on or before March 1, 2016, and meets all of the following criteria:

(1) Has earned a minimum of 48 semester hours or 72 quarters specified minimum of credit hours of graduate training as defined by the Board, including (i) a master's degree in counseling or a related field from a regionally accredited institution of higher education an institution of higher education that is regionally accredited or accredited by an organization recognized by the Council for Higher Education Accreditation and (ii) the applicant meets one of the following criteria:

a. if the applicant enrolled in the master's program before July 1, 2009; 2009, a minimum of 48 semester hours or a minimum of 72 quarter credit hours.

b. If the applicant enrolled in the master's program before July 1, 2013, but after June 30, 2009, a minimum of 54 semester hours or 81 quarter credit hourshours.

c. If the applicant enrolled in the master's program after June 30, 2013, a minimum of 60 semester hours or 90 quarter credit hours. of graduate training as defined by the Board, including a master's degree in counseling or a related field from a regionally accredited institution of higher education if the applicant enrolled in the master's program before July 1, 2013, but after June 30, 2009; or a minimum of 60 semester hours or 90 quarter credit hours of graduate training as defined by the Board, including a master's degree in counseling or a related field from a regionally accredited institution of higher education if the applicant enrolled in the master's program after June 30, 2013.

(2) Repealed by Session Laws 2009-367, s. 6, effective October 1, 2009.

(3) Has passed an examination in accordance with rules adopted by the Board.

(b1) The Board shall issue a license as a "licensed professional counselor associate" to an applicant who applies after March 1, 2016, through June 30, 2022, and meets all of the following criteria:

(1) Has earned a specified minimum of credit hours of graduate training as defined by the Board, including (i) a master's degree in counseling or related field from an institution of higher education that is either regionally accredited or accredited by an organization both recognized by the Council



for Higher Education Accreditation and accredited by the Council for Accreditation of Counseling and Related Educational Programs and (ii) the applicant meets one of the following criteria:

- a. If the applicant enrolled in the master's program before July 1, 2009, a minimum of 48 semester hours or a minimum of 72 quarter credit hours.
- b. If the applicant enrolled in the master's program before July 1, 2013, but after June 30, 2009, a minimum of 54 semester hours or 81 quarter credit hours.
- c. If the applicant enrolled in the master's program after June 30, 2013, a minimum of 60 semester hours or 90 quarter credit hours.

(2) Has passed an examination in accordance with rules adopted by the Board.

(b2) The Board shall issue a license as a "licensed professional counselor associate" to an applicant who applies on or after July 1, 2022, and meets all of the following criteria:

(1) Has earned a minimum of 60 semester hours or 90 quarter hours of graduate training as defined by the Board, including a master's degree in counseling or related field from an institution of higher education that is accredited by the Council for Accreditation of Counseling and Related Educational Programs.

(2) Has passed an examination in accordance with rules adopted by the Board.

(c) The Board shall issue a license as a "licensed professional counselor" to an applicant who meets all of the following criteria:

(1) Has met all of the requirements under ~~subsection (b)~~ subsection (b), (b1), or (b2) of this section, as applicable.

(2) Has completed a minimum of 3,000 hours of supervised professional practice as determined by the Board.

(d) A licensed professional counselor may apply to the Board for recognition as a "licensed professional counselor supervisor" and receive the credential "licensed professional counselor supervisor" upon meeting all of the following criteria:

(1) Has met all of the requirements under subsection (c) of this section.

(2) Has one of the following:

- a. At least five years of full-time licensed professional counseling experience, including a minimum of 2,500 hours of direct client contact;
- b. At least eight years of part-time licensed professional counseling experience, including a minimum of 2,500 hours of direct client contact; or
- c. A combination of full-time and part-time professional counseling experience, including a minimum of 2,500 hours of direct client contact as determined by the Board.

(3) Has completed minimum education requirements in clinical supervision as approved by the Board.

(4) Has an active license in good standing as a licensed professional counselor approved by the Board."

SECTION 2. G.S. 90-345(a)(1) reads as rewritten:

"(1) Applicant. – A person applying for licensure as a licensed professional counselor associate pursuant to ~~G.S. 90-336(b)~~G.S. 90-336(b), 90-336(b1), or 90-336(b2) or licensed professional counselor pursuant to G.S. 90-336(c)."

SECTION 3. G.S. 115C-81(e1)(4) reads as rewritten:

"(4) Each local school administrative unit shall provide a reproductive health and safety education program commencing in the seventh grade that includes the following instruction:

- a. Teaches that abstinence from sexual activity outside of marriage is the expected standard for all school-age children.
- b. Presents techniques and strategies to deal with peer pressure and offering positive reinforcement.
- c. Presents reasons, skills, and strategies for remaining or becoming abstinent from sexual activity.

- d. Teaches that abstinence from sexual activity is the only certain means of avoiding out-of-wedlock pregnancy, sexually transmitted diseases when transmitted through sexual contact, including HIV/AIDS, and other associated health and emotional problems.
- e. Teaches that a mutually faithful monogamous heterosexual relationship in the context of marriage is the best lifelong means of avoiding sexually transmitted diseases, including HIV/AIDS.
- f. Teaches the positive benefits of abstinence until marriage and the risks of premarital sexual activity.
- g. Provides opportunities that allow for interaction between the parent or legal guardian and the student.
- h. Provides factually accurate biological or pathological information that is related to the human reproductive system.
- i. Teaches about the preventable risks for preterm birth in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use of illicit drugs, and inadequate prenatal care.

Materials used in this instruction shall be age appropriate for use with students. Information conveyed during the instruction shall be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the ~~field~~ fields of any of the following: sexual health education, adolescent psychology, behavioral counseling, medicine, human anatomy, biology, ethics, or health education."

SECTION 4. G.S. 115C-81(e1)(4a) reads as rewritten:

"(4a) Each local school administrative unit shall also include as part of the instruction required under subdivision (4) of this subsection the following instruction:

- a. Teaches about sexually transmitted diseases. Instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA)-approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases. Instruction shall include the rates of infection among pre-teen and teens of each known sexually transmitted disease and the effects of contracting each sexually transmitted disease. In particular, the instruction shall include information about the effects of contracting the Human Papilloma Virus, including sterility and cervical cancer.
- b. Teaches about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy.
- c. Teaches awareness of sexual assault, sexual abuse, and risk reduction. The instruction and materials shall:
 - 1. Focus on healthy relationships.
 - 2. Teach students what constitutes sexual assault and sexual abuse, the causes of those behaviors, and risk reduction.
 - 3. Inform students about resources and reporting procedures if they experience sexual assault or sexual abuse.
 - 4. Examine common misconceptions and stereotypes about sexual assault and sexual abuse.
- d. Teaches about sex trafficking prevention and awareness. Each local school administrative unit shall:
 - 1. Collaborate with a diverse group of outside consultants where practical, including law enforcement with expertise in sex trafficking prevention education, to address the threats of sex trafficking.
 - 2. Collaborate with a diverse group of outside consultants, including law enforcement with expertise in sex trafficking, on a referral protocol for high-risk pupils and minors.

Materials used in this instruction shall be age appropriate for use with students. Information conveyed during the instruction shall be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the field of sexual health education. Law enforcement agencies, criminal justice agencies, and nongovernmental organizations with expertise in sex trafficking prevention and awareness may also provide materials and information. Each local board of education shall adopt a policy and provide a mechanism to allow a parent or a guardian to withdraw his or her child from instruction required under this subdivision."

rewritten: **SECTION 5.** G.S. 115C-81(e1)(4a), as amended by Section 4 of this act, reads as

"(4a) Each local school administrative unit shall also include as part of the instruction required under subdivision (4) of this subsection the following instruction:

- a. Teaches about sexually transmitted diseases. Instruction shall include how sexually transmitted diseases are and are not transmitted, the effectiveness and safety of all federal Food and Drug Administration (FDA)-approved methods of reducing the risk of contracting sexually transmitted diseases, and information on local resources for testing and medical care for sexually transmitted diseases. Instruction shall include the rates of infection among pre-teen and teens of each known sexually transmitted disease and the effects of contracting each sexually transmitted disease. In particular, the instruction shall include information about the effects of contracting the Human Papilloma Virus, including sterility and cervical cancer.
- b. Teaches about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy.
- c. Teaches awareness of sexual assault, sexual abuse, and risk reduction. The instruction and materials shall:
 1. Focus on healthy relationships.
 2. Teach students what constitutes sexual assault and sexual abuse, the causes of those behaviors, and risk reduction.
 3. Inform students about resources and reporting procedures if they experience sexual assault or sexual abuse.
 4. Examine common misconceptions and stereotypes about sexual assault and sexual abuse.
- d. Teaches about sex trafficking prevention and awareness. Each local school administrative unit shall:
 1. Collaborate with outside consultants, including law enforcement with expertise in sex trafficking prevention education, to address the threats of sex trafficking.
 2. Collaborate with outside consultants, including law enforcement with expertise in sex trafficking, on a referral protocol for high-risk pupils and minors.

Materials used in this instruction shall be age appropriate for use with students. Information conveyed during the instruction shall be objective and based upon scientific research that is peer reviewed and accepted by professionals and credentialed experts in the ~~field~~ fields of any of the following: sexual health education, adolescent psychology, behavioral counseling, medicine, human anatomy, biology, ethics, or health education. Law enforcement agencies, criminal justice agencies, and nongovernmental organizations with expertise in sex trafficking prevention and awareness may also provide materials and information. Each local board of education shall adopt a policy and provide a mechanism to allow a parent or a guardian to withdraw his or her child from instruction required under this subdivision."

SECTION 6. Sections 1 and 2 of this act become effective October 1, 2015. Section 3 of this act is effective when it becomes law and applies beginning with the 2016-2017 school year. Section 4 of this act is effective when it becomes law and applies beginning with the spring semester of the 2015-2016 school year. Section 5 of this act is effective January 1, 2016, and applies beginning with the 2016-2017 school year.

In the General Assembly read three times and ratified this the 30th day of September, 2015.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

Pat McCrory
Governor

Approved _____ .m. this _____ day of _____, 2015