

By Senator Detert

23-01145A-12

20121654

1 A bill to be entitled
2 An act relating to certified school counselors;
3 requiring that each school district have an overall
4 ratio of at least one certified school counselor for
5 every 400 students; requiring that each elementary,
6 middle, and high school within the school district
7 have a specified maximum ratio of certified school
8 counselors to students; requiring that each school
9 have a full-time certified school counselor and assign
10 half-time certified school counselors or an additional
11 full-time certified school counselor only after
12 reaching the maximum ratio; requiring that each school
13 district include the ratio of certified school
14 counselors to students in its annual audit and adopt
15 rules; providing the duties of certified school
16 counselors; amending ss. 381.0057, 1003.21, 1003.4156,
17 1003.43, and 1008.42, F.S.; revising provisions to
18 conform to changes made by the act; amending s.
19 1012.01, F.S.; prohibiting certified school counselors
20 from being used as support staff for administrative
21 duties; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Certified school counselors in public schools;
26 duties.-

27 (1) (a) Each school district shall have an overall ratio of
28 at least one certified school counselor for every 400 students,
29 with each elementary school having at least one certified school

23-01145A-12

20121654

30 counselor for every 450 students, each middle school having at
31 least one certified school counselor for every 400 students, and
32 each high school having at least one certified school counselor
33 for every 350 students.

34 (b) Each school shall have a full-time certified school
35 counselor and shall assign half-time certified school counselors
36 or an additional full-time certified school counselor only after
37 reaching the maximum ratio as provided in paragraph (a).

38 (c) Each school district shall include the ratio of
39 certified school counselors to students in its annual audit and
40 shall adopt rules outlining the duties of certified school
41 counselors.

42 (2) Each certified school counselor shall provide
43 counseling to students; develop and deliver curriculum at the
44 appropriate grade level; coordinate activities and programs for
45 each curriculum; and consult with school administrators,
46 teachers, parents, and students.

47 Section 2. Paragraph (b) of subsection (4) of section
48 381.0057, Florida Statutes, is amended to read:

49 381.0057 Funding for school health services.—

50 (4) Any school district, school, or laboratory school which
51 desires to receive state funding under the provisions of this
52 section shall submit a proposal to the joint committee
53 established in subsection (3). The proposal shall state the
54 goals of the program, provide specific plans for reducing
55 teenage pregnancy, and describe all of the health services to be
56 available to students with funds provided pursuant to this
57 section, including a combination of initiatives such as health
58 education, counseling, extracurricular, and self-esteem

23-01145A-12

20121654

59 components. School health services shall not promote elective
60 termination of pregnancy as a part of counseling services. Only
61 those program proposals which have been developed jointly by
62 county health departments and local school districts or schools,
63 and which have community and parental support, shall be eligible
64 for funding. Funding shall be available specifically for
65 implementation of one of the following programs:

66 (b) *Student support services team program.*—The program
67 shall include a multidisciplinary team composed of a
68 psychologist, social worker, and nurse whose responsibilities
69 are to provide basic support services and to assist, in the
70 school setting, children who exhibit mild to severely complex
71 health, behavioral, or learning problems affecting their school
72 performance. Support services shall include, but not be limited
73 to: evaluation and treatment for minor illnesses and injuries,
74 referral and followup for serious illnesses and emergencies,
75 onsite care and consultation, referral to a physician, and
76 followup care for pregnancy or chronic diseases and disorders as
77 well as emotional or mental problems. Services also shall
78 include referral care for drug and alcohol abuse and sexually
79 transmitted diseases, sports and employment physicals,
80 immunizations, and in addition, effective preventive services
81 aimed at delaying early sexual involvement and aimed at
82 pregnancy, acquired immune deficiency syndrome, sexually
83 transmitted diseases, and destructive lifestyle conditions, such
84 as alcohol and drug abuse. Moneys for this program shall be used
85 to fund three teams, each consisting of one half-time
86 psychologist, one full-time nurse, and one full-time social
87 worker. Each team shall provide student support services to an

23-01145A-12

20121654

88 elementary school, middle school, and high school that are a
89 part of one feeder school system and shall coordinate all
90 activities with the school administrator and certified school
91 ~~guidance~~ counselor at each school. A program that ~~which~~ places
92 all three teams in middle schools or high schools may also be
93 proposed.

94
95 Funding may also be available for any other program that is
96 comparable to a program described in this subsection but is
97 designed to meet the particular needs of the community.

98 Section 3. Paragraph (c) of subsection (1) of section
99 1003.21, Florida Statutes, is amended to read:

100 1003.21 School attendance.—

101 (1)

102 (c) A student who attains the age of 16 years during the
103 school year is not subject to compulsory school attendance
104 beyond the date upon which he or she attains that age if the
105 student files a formal declaration of intent to terminate school
106 enrollment with the district school board. Public school
107 students who have attained the age of 16 years and who have not
108 graduated are subject to compulsory school attendance until the
109 formal declaration of intent is filed with the district school
110 board. The declaration must acknowledge that terminating school
111 enrollment is likely to reduce the student's earning potential
112 and must be signed by the student and the student's parent. The
113 school district must notify the student's parent of receipt of
114 the student's declaration of intent to terminate school
115 enrollment. The student's certified school ~~guidance~~ counselor or
116 other school personnel must conduct an exit interview with the

23-01145A-12

20121654

117 student to determine the reasons for the student's decision to
118 terminate school enrollment and actions that could be taken to
119 keep the student in school. The student must be informed of
120 opportunities to continue his or her education in a different
121 environment, including, but not limited to, adult education and
122 GED test preparation. Additionally, the student must complete a
123 survey in a format prescribed by the Department of Education to
124 provide data on student reasons for terminating enrollment and
125 actions taken by schools to keep students enrolled.

126 Section 4. Paragraph (a) of subsection (1) of section
127 1003.4156, Florida Statutes, is amended to read:

128 1003.4156 General requirements for middle grades
129 promotion.—

130 (1) Promotion from a school composed of middle grades 6,
131 7, and 8 requires that:

132 (a) The student must successfully complete academic courses
133 as follows:

134 1. Three middle school or higher courses in English. These
135 courses shall emphasize literature, composition, and technical
136 text.

137 2. Three middle school or higher courses in mathematics.
138 Each middle school must offer at least one high school level
139 mathematics course for which students may earn high school
140 credit. Successful completion of a high school level Algebra I
141 or geometry course is not contingent upon the student's
142 performance on the end-of-course assessment required under s.
143 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
144 school year, to earn high school credit for an Algebra I course,
145 a middle school student must pass the Algebra I end-of-course

23-01145A-12

20121654

146 assessment, and beginning with the 2012-2013 school year, to
147 earn high school credit for a geometry course, a middle school
148 student must pass the geometry end-of-course assessment.

149 3. Three middle school or higher courses in social studies,
150 one semester of which must include the study of state and
151 federal government and civics education. Beginning with students
152 entering grade 6 in the 2012-2013 school year, one of these
153 courses must be at least a one-semester civics education course
154 that a student successfully completes in accordance with s.
155 1008.22(3)(c) and that includes the roles and responsibilities
156 of federal, state, and local governments; the structures and
157 functions of the legislative, executive, and judicial branches
158 of government; and the meaning and significance of historic
159 documents, such as the Articles of Confederation, the
160 Declaration of Independence, and the Constitution of the United
161 States.

162 4. Three middle school or higher courses in science.
163 Successful completion of a high school level Biology I course is
164 not contingent upon the student's performance on the end-of-
165 course assessment required under s. 1008.22(3)(c)2.a.(II).
166 However, beginning with the 2012-2013 school year, to earn high
167 school credit for a Biology I course, a middle school student
168 must pass the Biology I end-of-course assessment.

169 5. One course in career and education planning to be
170 completed in 7th or 8th grade. The course may be taught by any
171 member of the instructional staff; must include career
172 exploration using Florida CHOICES or a comparable cost-effective
173 program; must include educational planning using the online
174 student advising system known as Florida Academic Counseling and

23-01145A-12

20121654

175 Tracking for Students at the Internet website FACTS.org; and
176 shall result in the completion of a personalized academic and
177 career plan. The required personalized academic and career plan
178 must inform students of high school graduation requirements,
179 high school assessment and college entrance test requirements,
180 Florida Bright Futures Scholarship Program requirements, state
181 university and Florida College System institution admission
182 requirements, and programs through which a high school student
183 can earn college credit, including Advanced Placement,
184 International Baccalaureate, Advanced International Certificate
185 of Education, dual enrollment, career academy opportunities, and
186 courses that lead to national industry certification.

187
188 A student with a disability, as defined in s. 1007.02(2), for
189 whom the individual education plan team determines that an end-
190 of-course assessment cannot accurately measure the student's
191 abilities, taking into consideration all allowable
192 accommodations, shall have the end-of-course assessment results
193 waived for purposes of determining the student's course grade
194 and completing the requirements for middle grades promotion.
195 Each school must hold a parent meeting either in the evening or
196 on a weekend to inform parents about the course curriculum and
197 activities. Each student shall complete an electronic personal
198 education plan that must be signed by the student; the student's
199 instructor, certified school ~~guidance~~ counselor, or academic
200 advisor; and the student's parent. The Department of Education
201 shall develop course frameworks and professional development
202 materials for the career exploration and education planning
203 course. The course may be implemented as a stand-alone course or

23-01145A-12

20121654

204 integrated into another course or courses. The Commissioner of
205 Education shall collect longitudinal high school course
206 enrollment data by student ethnicity in order to analyze course-
207 taking patterns.

208 Section 5. Paragraph (d) of subsection (7) of section
209 1003.43, Florida Statutes, is amended to read:

210 1003.43 General requirements for high school graduation.—

211 (7) No student may be granted credit toward high school
212 graduation for enrollment in the following courses or programs:

213 (d) Any Level I course unless the student's assessment
214 indicates that a more rigorous course of study would be
215 inappropriate, in which case a written assessment of the need
216 must be included in the student's individual educational plan or
217 in a student performance plan, signed by the principal, the
218 certified school guidance counselor, and the parent of the
219 student, or the student if the student is 18 years of age or
220 older.

221 Section 6. Paragraph (b) of subsection (2) of section
222 1008.42, Florida Statutes, is amended to read:

223 1008.42 Public information on career education programs.—

224 (2) The dissemination shall be conducted in accordance with
225 the following procedures:

226 (b)1. Each district school board shall publish, at a
227 minimum, the most recently available placement rate for each
228 career certificate program conducted by that school district at
229 the secondary school level and at the career degree level. The
230 placement rates for the preceding 3 years shall be published if
231 available, shall be included in each publication that informs
232 the public of the availability of the program, and shall be made

23-01145A-12

20121654

233 available to each certified school ~~guidance~~ counselor. If a
234 program does not have a placement rate, a publication that lists
235 or describes that program must state that the rate is
236 unavailable.

237 2. Each Florida College System institution shall publish,
238 at a minimum, the most recent placement rate for each career
239 certificate program and for each career degree program in its
240 annual catalog. The placement rates for the preceding 3 years
241 shall be published, if available, and shall be included in any
242 publication that informs the public of the availability of the
243 program. If a program does not have a placement rate, the
244 publication that lists or describes that program must state that
245 the rate is unavailable.

246 3. If a school district or a Florida College System
247 institution has calculated for a program a placement rate that
248 differs from the rate reported by the department, and if each
249 record of a placement was obtained through a process that was
250 capable of being audited, procedurally sound, and consistent
251 statewide, the district or the Florida College System
252 institution may use the locally calculated placement rate in the
253 report required by this section. However, that rate may not be
254 combined with the rate maintained in the computer files of the
255 Department of Education's Florida Education and Training
256 Placement Information Program.

257 4. An independent career, trade, or business school may not
258 publish a placement rate unless the placement rate was
259 determined as provided by this section.

260 Section 7. Paragraph (b) of subsection (2) of section
261 1012.01, Florida Statutes, is amended to read:

23-01145A-12

20121654__

262 1012.01 Definitions.—As used in this chapter, the following
263 terms have the following meanings:

264 (2) INSTRUCTIONAL PERSONNEL.—“Instructional personnel”
265 means any K-12 staff member whose function includes the
266 provision of direct instructional services to students.
267 Instructional personnel also includes K-12 personnel whose
268 functions provide direct support in the learning process of
269 students. Included in the classification of instructional
270 personnel are the following K-12 personnel:

271 (b) *Student personnel services*.—Student personnel services
272 include staff members responsible for: advising students with
273 regard to their abilities and aptitudes, educational and
274 occupational opportunities, and personal and social adjustments;
275 providing placement services; performing educational
276 evaluations; and similar functions. Included in this
277 classification are certified school guidance counselors, social
278 workers, career specialists, and school psychologists. Certified
279 school counselors shall perform only the duties and functions
280 described in this paragraph and may not be used as support staff
281 for administrative duties, including, but not limited to,
282 working bus or cafeteria lines, substitute teaching, or
283 monitoring tests.

284 Section 8. This act shall take effect July 1, 2012.