

**STORAGE NAME:** h175s1.ed

**DATE:** January 28, 1998

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
EDUCATION APPROPRIATIONS  
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**BILL #:** CS/CS/HB175

**RELATING TO:** School Counselors/Pilot Program

**SPONSOR(S):** Representative Rodriguez-Chomat

**STATUTE(S) AFFECTED:** None

**COMPANION BILL(S):** SB 932

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) EDUCATION INNOVATION YEAS 6 NAYS 0
- (2) EDUCATION APPROPRIATIONS YEAS 16 NAYS 0
- (3)
- (4)
- (5)

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**I. SUMMARY:**

CS/CS/HB 175 creates a three year pilot program for school districts to increase the number of guidance counselors in public middle and high schools. Any school participating in the program shall have a student to counselor ratio of no greater than 300 to 1. An evaluation report and recommendations are required in the final year of the program.

The Commissioner of Education shall administer the program and award funds from a grant allocation. This program is contingent upon a specific appropriation.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

As defined in s. 228.041(9)(b), F.S., guidance counselors are instructional personnel responsible for advising students regarding their abilities and aptitudes, educational and occupational opportunities, and personal and social adjustments; providing placement services; and performing educational evaluations. The State Board of Education has the authority to prescribe rules for the issuance by the Department of Education of professional certificates for school counselors, per s. 231.15(1), F.S. Rule 6A-4.0181 establishes the requirement that all counselors have a master's or higher degree.

Before 1997, guidance counselors and classroom teachers were required to participate in the in service training for child abuse and neglect prevention, for alcohol and substance abuse prevention education, and for multicultural sensitivity education. In-service training, per s. 233.067, F.S., was provided for counselors, as well as teachers and other persons, to deal with comprehensive health education, substance abuse prevention, prevention of sexually transmissible diseases, especially human immunodeficiency virus infection and acquired immune deficiency syndrome, and the benefits of sexual abstinence and consequences of teenage pregnancy. Although in service training may still be provided at the option of the local district, the statutory requirement for this training was repealed by Ch. 97-190, LOF.

There are no counselor-to-student ratios established in law or rule. Whether to employ counselors and how many to employ is left to the discretion of the local school district. The Department of Education estimates that the statewide average ratio of counselors to students is one counselor for each 450 students.

In some districts, the number of counselors per student can vary due to any special programs the school may have. For example, additional positions may exist in schools where the student population is considered to be at-risk. In addition to guidance counselors, schools may have substance abuse counselors and occupational specialists. Per s. 239.121(2), F.S., occupational specialists must be certified by State Board of Education rule. These certification requirements are found in Rule 6A-4.072; however, they are not as stringent as those for guidance counselors. They require either six years occupational experience, or fewer years of occupational experience when combined with a bachelor's, associate, or vocational degree.

As allowed under s. 239.121(1), F.S., the occupational specialists may provide student counseling services and occupational information to students. Additionally, they may provide information to local business and industry regarding the availability of vocational programs through local educational institutions. Under the supervision of a certified counselor, occupational specialists may undertake special assignments that include, but are not limited to, the identification and intensive counseling of current and former students and the parents of such students, as well as counseling students and all education personnel regarding job and career opportunities.

Counselors cannot be paid less than any other instructional personnel with the same qualifications and who provides similar services. They may also receive salary supplements if needed for recruiting or retention purposes.

*Profiles of Florida School Districts 1995-96* gives the following guidance to students ratios for each school district in the state.

<b>County</b>	<b>Guidance to Students Ratio</b>	<b>County</b>	<b>Guidance to Students Ratio</b>	<b>County</b>	<b>Guidance to Students Ratio</b>
Alachua	422.69	Hamilton	294.87	Okeechobee	430.40
Baker	514.88	Hardee	532.50	Orange	466.80
Bay	400.44	Hendry	470.93	Osceola	414.01
Bradford	514.87	Hernando	358.53	Palm Beach	520.53
Brevard	486.06	Highlands	413.80	Pasco	390.47
Broward	517.00	Hillsborough	393.98	Pinellas	455.80
Calhoun	379.83	Holmes	469.87	Polk	417.06
Charlotte	487.28	Indian River	650.85	Putnam	380.41
Citrus	422.57	Jackson	332.95	St. Johns	375.51
Clay	565.34	Jefferson	531.50	St. Lucie	540.88
Collier	347.09	Lafayette	526.00	Santa Rosa	470.92
Columbia	537.47	Lake	407.00	Sarasota	721.65
Dade	381.52	Lee	420.95	Seminole	496.39
Desoto	644.00	Leon	391.68	Sumter	576.70
Dixie	568.25	Levy	478.75	Suwannee	474.16
Duval	607.43	Liberty	242.00	Taylor	777.80
Escambia	466.13	Madison	572.33	Union	447.20
Flagler	494.09	Manatee	481.75	Volusia	371.16
Franklin	569.00	Marion	514.86	Wakulla	533.75
Gadsden	510.23	Martin	479.06	Walton	747.57
Gilchrist	505.80	Monroe	633.66	Washington	317.40
Glades	551.00	Nassau	457.04		
Gulf	455.80	Okaloosa	482.85		

**B. EFFECT OF PROPOSED CHANGES:**

CS/CS/HB 175 creates a 3-year pilot program. The goal of the program is to provide improved guidance services to public schools students by increasing the number of guidance counselors in middle and high schools.

Participating district are required to evaluate the program and provide a report with recommendations to the Speaker of the House and President of the Senate by December 1, 2001.

**C. APPLICATION OF PRINCIPLES:**

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

Direct authority for rules is not given in CS/HB 175.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, CS/HB 175 creates new responsibilities for the Department of Education relating to the implementation of the pilot program and to the grant requests. Additionally, the local school district will have the responsibility to determine if additional counselors are needed, to apply for the grants, and to hire the counselors. They will also have to evaluate the pilot program and make recommendations at the end of the program.

(3) any entitlement to a government service or benefit?

No

b. If an agency or program is eliminated or reduced:

Not Applicable.

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

(2) what is the cost of such responsibility at the new level/agency?

(3) how is the new agency accountable to the people governed?

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

School districts currently have the discretion to employ counselors and set staffing levels.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

Not Applicable.

(1) Who evaluates the family's needs?

(2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

No

(2) service providers?

The intent of the bill is to establish a pilot program which provides additional counselors in public schools. These public school counselors will advise students regarding their abilities and aptitudes, assist them in the selection of required graduation courses, and provide guidance for educational and career options after graduation.

(3) government employees/agencies?

CS/CS/HB 175 gives the Commissioner of Education the authority to administer the program and provide grant awards to school districts.

**D. SECTION-BY-SECTION ANALYSIS:**

**Section 1** Creates a 3-year pilot program to increase public school counselors in the public school system. The counselor's purpose is to advise students regarding their abilities and aptitudes, assist them in selecting courses to meet high school graduation requirements, and provide education and career options guidance. Any school participating in the program shall have a student to guidance counselor ratio of no greater than 300 to 1. This program shall be contingent on an appropriation.

**Section 2** Provides the Commissioner of Education with the authority to administer the program and provide funding grants to school districts. Authorizes the Commissioner to select the schools which will receive the additional counselor grant allocations based on the high student to counselor ratios and other criteria which the district deems appropriate in addressing student goals.

**Section 3** Requires a school district in the pilot program to conduct an evaluation and provide a report and recommendations to the President of the Senate and the Speaker of the House by December 1, 2001.

**Section 4** Provides an effective date of July 1 of the year in which enacted.

**III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:**

**A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:**

1. Non-recurring Effects:

None.

2. Recurring Effects:

For the three year period of the pilot program an amount of funding for discretionary grant allocations would have to be authorized in The General Appropriations Act. This program is contingent on such an appropriation. Therefore, there is no fiscal impact.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:**

1. Non-recurring Effects:

None.

2. Recurring Effects:

None, unless an appropriation is made. Ultimately, if an appropriation were to be made, the funds would be used by the pilot school districts for the employment of additional guidance counselors. The average school district guidance counselor salary in the fall of 1996 was \$38,890. With benefits, each additional counselor would cost roughly \$50,000. The cost for implementation would then depend on the number of additional counselors hired by the pilot schools.

3. Long Run Effects Other Than Normal Growth:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None, unless an appropriation makes this act effective. If such an appropriation were to follow, additional school guidance counselors positions would be available.



3. Effects on Competition, Private Enterprise and Employment Markets:

None, unless an appropriation makes this act effective. If such an appropriation were made, in the pilot program districts, school guidance counselor positions would be created. School guidance counselor positions are required to have a master's or higher degree to be certified. The number of positions which could be created would not be sufficient to have a marked effect on the employment market.

D. FISCAL COMMENTS:

This bill has no fiscal impact, because its creation is dependent upon an appropriation.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

HB 175 does not require the county or municipality to expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

HB 175 does not reduce the revenue raising authority of counties or municipalities.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

HB 175 does not reduce the percentage of a state tax shared with counties and municipalities.

V. COMMENTS:

School districts currently have the discretion to employ counselors and to determine appropriate staffing levels within current appropriations.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

HB 175 was introduced on March 4, 1997. It was referred to the Committee on Education Innovation and Committee on Education Appropriations. On April 10, 1997, it was unanimously adopted as a committee substitute by the Education Innovation Committee. CS/HB 175 differed from the original bill in the following ways:

- Uses "Break the Mold" grants for school districts to implement the program
- Allows opportunity for all counties to participate through the "Break the Mold" grants

**STORAGE NAME:** h175s1.ed

**DATE:** January 28, 1998

**PAGE 10**

- Removes Dade, Leon, and Orange counties as specific locations where program will be established
- Removes required specific student to counselor ratios
- Removes appropriation of \$8 million

CS/CS/HB175 was unanimously adopted as a committee substitute by the Education Appropriations Committee of the Fiscal Responsibility Council with five amendments.

VII. SIGNATURES:

COMMITTEE ON EDUCATION INNOVATION:

Prepared by:

Legislative Research Director:

Ouida J. Ashworth

Peter C. Doherty

AS REVISED BY THE COMMITTEE ON EDUCATION APPROPRIATIONS:

Prepared by:

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