

STORAGE NAME: h175.ei
DATE: March 3, 1997

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION INNOVATION
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

BILL #: HB175
RELATING TO: School Counselors/Pilot Program
SPONSOR(S): Representative Rodriquez-Chomat
STATUTE(S) AFFECTED: None
COMPANION BILL(S): SB 932

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

- (1) EDUCATION INNOVATION
- (2)
- (3)
- (4)
- (5)

I. SUMMARY:

HB 175 creates a three year pilot program in Dade, Orange, and Leon Counties to increase the number of school counselors to specific counselor to student ratios in elementary, middle, and high schools through the hiring of 200 additional counselors. An evaluation, report and recommendations are required in the final year of the program. The bill provides for an appropriation of \$8 million from the General Revenue Fund to be allocated to the three districts on an FTE pro rata basis. The 1996-97 Final Conference Report on the Florida Education Finance Program (FEFP) shows the unweighted FTE in the three counties as follows: Dade, 384,372.63; Orange, 139,269.46; and Leon, 34,489.23.

Currently, 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 guidance to students is one to 450 students. The desired counselor to student ratios established in HB 175 are designated for the 1997-1998 year as 1 to 800 in elementary, 1 to 700 in middle and 1 to 600 in high schools. Other ratios are specified in the bill for the 1998-1999 and the 1999-2000 years.

The Department of Education's *Profiles of Florida School Districts 1995-96* gives current overall guidance to student ratios which are lower than goal ratios in the bill. Information obtained from Dade County indicates that one counselor is assigned to each of approximately 110 elementary schools with the exception of the 20 elementary schools that have a population of 1,200 or more; they have an additional counselor. The secondary schools have an overall counselor to student ratio of one to 438.4 students. Orange County reports one counselor to 990 in elementary, one to 495 in middle, and one to 468 in high schools. Leon County ratios are: one to 611 in elementary, one to 516 in middle, and one to 608 in high schools.

Over a one year period, at an average salary of \$37,346, the cost of 200 additional counselors equals \$7,469,200. The \$8 million appropriation is a loss to the General Revenue Fund.

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.

Additionally, guidance counselors and classroom teachers are 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., is 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.

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.

Dade County School District

According to information obtained from the Dade County School District, each elementary school is assigned one school counselor unless the school enrollment reaches 1,200 students. Of the elementary schools in Dade County, over 30 have a student population of 600 or below; approximately 80 have between 700 and 1,199 students; and approximately 20 have the population for the additional counselor. School population in Dade County, according to the December 1996 statistical report publication, *Profiles of Florida School Districts 1995-96*, is 333,836. The unweighted FTE shown for Dade County in the 1996-97 Final Conference Report on the Florida Education Finance Program (FEFP) is 384,372.63.

In the secondary schools, the overall counselor to student ratio is one to 438.4 students. The number of counselors per student can vary due to any special programs the school may have. For example, additional positions exist in schools where the student population is considered to be at-risk. In addition to counselors, each school is assigned a substance abuse counselor and some schools have 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.

They 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.

Orange County School District

According to information obtained from the Department of Education, the overall counselor to student ratio in Orange County is one to 990 students in elementary schools, one to 495 students in middle schools, and one to 468 students in high school. School population in Orange County, according to the December 1996 statistical report publication, *Profiles of Florida School Districts 1995-96*, is 123,237. The unweighted FTE shown for Orange County in the 1996-97 Final Conference Report on the Florida Education Finance Program (FEFP) is 139,269.46.

Leon County School District

According to information obtained from the Department of Education, the overall counselor to student ratio in Leon County is one to 611 students in elementary schools, one to 516 students in middle schools, and one to 608 students in high school. School population in Leon County, according to the December 1996 statistical report publication, *Profiles of Florida School Districts 1995-96*, is 31,335. The unweighted FTE shown for Leon County in the 1996-97 Final Conference Report on the Florida Education Finance Program (FEFP) is 34,489.23.

Other Counties

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

| County | Guidance to Students Ratio | County | Guidance to Students Ratio | County | Guidance to Students Ratio |
|---------------|-----------------------------------|---------------|-----------------------------------|---------------|-----------------------------------|
| 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 |

| County | Guidance to Students Ratio | County | Guidance to Students Ratio | County | Guidance to Students Ratio |
|-----------|----------------------------|--------------|----------------------------|------------|----------------------------|
| 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:

HB 175 creates a 3-year pilot program in the counties of Dade, Leon, and Orange. The goal of the program is to increase the counselor per student ratios in elementary, middle and high schools through the hiring of an additional 200 counselors. The bill appropriates \$8 million from General Revenue to the Department of Education for use in the three counties to improve the ratios. If the \$8 million appropriation is sufficient, the ratio goals for the program are:

| School Level | School Year and Counselor Per Student Ratio | | |
|--------------|---|-----------|-----------|
| | 1997-1998 | 1998-1999 | 1999-2000 |
| Elementary | 1/800 | 1/700 | 1/600 |
| Middle | 1/700 | 1/600 | 1/500 |
| High | 1/600 | 1/500 | 1/400 |

The appropriated funds for the three pilot program districts will be distributed based on the district's FTE number. There is no provision in HB 175 for how the money will be allocated to the elementary, middle, and high schools in the district. The bill does not state how the district can distribute the money; whether the district can use the money to reach the desired ratio in one particular school or level of schools, for example, just the high schools, or whether the money will be distributed throughout all the schools. If funding is not sufficient to achieve the ratios, either distribution method could leave some schools in the district without the desired ratios. Although the money is not earmarked specifically for elementary, middle and high schools, the bill does not state that the district can use the money at its own discretion to achieve ratios.

Based on the current ratios listed in the PRESENT SITUATION section of this analysis, Orange County would only need one more elementary school counselor for the 1997-1998 year; they already have lower ratios in middle school and high school. Their current ratios for middle school are lower than the desired ratios for 1999-2000, and current high school ratios are lower than the desired ratios for 1998-1999.

In Leon County, only one additional high school counselor would be needed in 1997-1998 to meet the desired ratio. To meet the desired ratios for the following two years, the needs would still be minimal based on the current ratios.

In Dade County, there would be a need for at least 20 additional counselors at the elementary level for the 20 schools which have populations over 1,200 students. The current ratio for Dade's middle and high schools is an average; however, based on this average, no new counselors would be needed in 1997-1998 to meet the desired ratios.

Consequently, for the 1997-1998 year, one additional counselor is needed in Leon County, one additional counselor is needed in Orange County, and at least 20 additional counselors are needed in Dade County to meet the desired ratios. This is an approximate projection based on the current numbers obtained from the Department of Education and the county school districts. Although this indicates that Dade County would need and receive more of the appropriated funds, they also have a larger school population than the other two counties.

According to information from the Florida Counseling Association, the average annual salary of a school guidance counselor is \$37,346.

The district where the pilot program is implemented is required to evaluate the program and provide a report and recommendations to the Speaker of the House and President of the Senate by December 1, 2000. The bill does not assign any performance accountability or outcome criteria to be considered for the report. The Department of

Education is not assigned any oversight or reporting requirements. The bill provides for an appropriation of \$8 million from the General Revenue Fund to the Department of Education.

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?

The State Board of Education, per s. 229.053(1), F.S., has the general power to adopt rules to carry out the Florida School Code, or all the laws of Florida relating to public education, as defined in s. 228.001, F.S. Direct authority is not given in HB 175.

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

Yes, HB 175 creates new responsibilities for the Department of Education relating to the distribution of the appropriation. Additionally, the local school district will have the responsibility to determine if additional counselors are needed and to hire them. 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?

Yes, HB 175 creates an entitlement on the part of the pilot program school districts; they receive additional state funds over the amount received by other school districts. With these funds, they can hire additional counselors.

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 to determine how many counselors they need to employ. HB 175 sets desired counselor/student ratios for the three pilot districts to achieve if the appropriated funds are sufficient.

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?

(2) service providers?

The intent of the bill is to establish a pilot program which provides additional counselors in public schools in three school districts. 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?

HB 175 gives the local school district the funding and responsibility to hire school counselors to meet the desired ratios specified in the bill.

D. SECTION-BY-SECTION ANALYSIS:

Section 1 Creates a 3-year pilot program in Dade, Orange, and Leon Counties to provide at least 200 additional public school counselors, whose 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. If appropriated funds are sufficient, the following ratios will be achieved:

| School Level | School Year and Counselor Per Student Ratio | | |
|--------------|---|-----------|-----------|
| | 1997-1998 | 1998-1999 | 1999-2000 |
| Elementary | 1/800 | 1/700 | 1/600 |
| Middle | 1/700 | 1/600 | 1/500 |
| High | 1/600 | 1/500 | 1/400 |

If appropriated funds are not sufficient to achieve the above ratios, the funds will be prorated to each of the three pilot program districts based on the district's FTE number.

Section 2 Requires that each pilot program school district evaluate the pilot program and provide a report and recommendations to the President of the Senate and the Speaker of the House by December 1, 2000.

Section 3 Appropriates \$8 million from General Revenue for implementation of the pilot program to be distributed to the three districts on a FTE pro rata basis.

Section 4 Provides an effective date of July 1, 1997.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

HB 175 provides for an \$8 million appropriation from the General Revenue Fund. This would be allocated through the Department of Education to each of the three pilot districts based on a FTE pro rata basis. The \$8 million will cover the cost of 200 counselors (the number stated in the bill) for one year. At an average salary of \$37,346, over a one year period, the salary costs of 200 counselors equals \$7,469,200. The pilot program is for three years. Over a three year period, the total cost equals \$22,407,600.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

HB 175 creates a loss to the General Revenue Fund of \$8 million.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

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:

Additional positions as school guidance counselors will be available.

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

In the pilot program districts, highly specialized positions as school guidance counselors will be created. School guidance counselors are required to have a master's or higher degree to be certified. The number of positions which will be created will not be sufficient to have a marked effect on the employment market.

D. FISCAL COMMENTS:

HB 175 creates a total loss of General Revenue in the amount of \$8 million.

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 how many counselors they need to employ.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

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VII. SIGNATURES:

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