

STORAGE NAME: h1717a.ei

DATE: April 21, 1999

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION INNOVATION
ANALYSIS**

BILL #: HB 1717

RELATING TO: Students/Prevention of Violence

SPONSOR(S): Representative Detert

COMPANION BILL(S): SB 2030 (I)

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

- (1) EDUCATION INNOVATION YEAS 5 NAYS 1
 - (2) EDUCATION APPROPRIATIONS
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

HB 1717 creates a 5-year pilot program in Sarasota, St. Johns, Broward, Okaloosa, Lake, and Duval counties to enable school districts in those counties to provide students with skills in conflict resolution, anger management, building effective interpersonal relationships, and behavioral self-controls such as impulse control, self-monitoring, and internal achievement motivation. These skills are essential to reducing disruptive and dangerous behavior in the classroom and for increasing academic performance.

The purpose of this act is to allocate incentive funding to school districts to provide adequate student-services personnel to:

- Provide students with skills to find positive solutions to conflict; teach them to accept more personal responsibility; enable them to stay more on task; provide them with the skills necessary to interact positively with peers and those in authority; help them deal with violent peers when they encounter them; and improve their use of critical thinking, reasoning, and problem-solving skills.
- Reduce disciplinary referrals significantly as well as the number of suspensions and expulsions.
- Increase the amount of time teachers can focus on teaching rather than on managing disruptive and dangerous students as well as promote consistency in the application of disciplinary strategies by school staff.
- Increase the confidence of parents and communities that schools are safe and effective places for learning.

The effectiveness of this act is measured by the core elements of the state school report card.

The Commissioner of Education is directed to allocate funds appropriated in the General Appropriations Act for an incentive award for each participating school district in an amount equal to 5 percent of the district's 1998-1999 salary and benefits expenditure for social workers, psychologists, and guidance counselors.

DOE estimates the fiscal impact to be \$5.5 million.

HB 1717 was considered by the Committee on Education Innovation on April 20, 1999. The bill passed by a vote of five to one, with four amendments, which are traveling with the bill. The amendments changed the bill in the following manner:

- Amendment 1:** Removes three "whereas clauses" and provision relating to increasing the amount of time for teachers.
- Amendment 2:** Clarifies intent to employ additional "certified" school counselors, school psychologists, and guidance counselors.
- Amendment 3:** Same as amendment #2.
- Amendment 4:** Adds monitoring and reporting requirements on the part of DOE.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Background

The "Student Services Act" (s. 230.2323, F.S.), was repealed in 1994 (Ch. 94-232) to remove prescriptive language from the statutes. This act articulated a comprehensive student services program reflecting the best practices in many school districts. School districts presently continue to provide support services to students through the employment of school psychologists, social workers, and school counselors.

Research

According to a report issued by the US Department of Education the following are characteristics of a school that is safe for all children:

- *Discuss issues openly.* Children come to school with many different perceptions and misconceptions about death, violence, and the use of weapons. Schools can reduce the risk of violence by teaching children about the dangers of firearms, as well as appropriate strategies for dealing with feelings, expressing anger in appropriate ways, and resolving conflicts. Schools also should teach children that they are responsible for their actions and that the choices they make have consequences for which they will be held accountable.
- *Create ways for students to share their concerns.* It has been found that peers often are the most likely group to know in advance about potential school violence. Schools must create ways for students to safely report such troubling behaviors that may lead to dangerous situations. And students who report potential school violence must be protected. It is important for schools to support and foster positive relationships between students and adults so students and adults so students will feel safe providing information about a potentially dangerous situation.
- *Help children feel safe expressing their feelings.* It is very important that children feel safe when expressing their needs, fears, and anxieties to school staff. When they do not have access to caring adults, feelings of isolation are more likely to occur, increasing the probability of acting-out behaviors.
- *Share responsibility by establishing a partnership with the child, school, home and community.* Coordinated service systems should be available for children who are at risk for violent behavior. Effective schools reach out to include families and the entire community in the education of children. In addition, effective schools coordinate and collaborate with child and family services agencies, law enforcement and juvenile justice systems, mental health agencies, businesses, faith and ethnic leaders, and other community agencies.

Staffing Ratios

According to DOE, current student services personnel allocations for the 580 schools and 468,415 students enrolled in the six counties identified in this Act (Sarasota, St., Johns, Broward, Okaloosa, Lake and Duval Counties) is approximately 1,204 staff members. This figure reflects 164 social workers, 171 school psychologists and 869 school counselors. The current student to social worker ratio is 1:2,856; student to school psychologist ratio is 1:273; and student to school counselor ratio is 1:539 in these six districts.

B. EFFECT OF PROPOSED CHANGES:

The Student Services Act for the Prevention of Violence in Education

HB 1717 creates a 5-year pilot program in Sarasota, St. Johns, Broward, Okaloosa, Lake, and Duval counties to enable school districts in those counties to provide students with skills in conflict resolution, anger management, building effective interpersonal relationships, and behavioral self-controls such as impulse control, self-monitoring, and internal achievement motivation. These

skills are essential to reducing disruptive and dangerous behavior in the classroom and for increasing academic performance.

The bill states that there have been many recent changes in society, including loss of the traditional family structure, increasing job and other pressures on parents, lack of respect for authority, as well as alcohol and drug abuse, resulting in increased needs of the state's youth.

The bill goes on to say that the Legislature further finds that school counselors, school psychologists, and school social workers serving in our schools are fully occupied with necessary and important mandated duties such as career counseling, truancy follow up, and testing for special class placement. There is an insufficient number of student-services personnel to implement research-based initiatives to reduce violence, enhance school safety, and improve student performance.

The purpose of this act is to allocate incentive funding to school districts to provide adequate student-services personnel to:

- Provide students with skills to find positive solutions to conflict; teach them to accept more personal responsibility; enable them to stay more on task; provide them with the skills necessary to interact positively with peers and those in authority; help them deal with violent peers when they encounter them; and improve their use of critical thinking, reasoning, and problem-solving skills.
- Reduce disciplinary referrals significantly as well as the number of suspensions and expulsions.
- Increase the amount of time teachers can focus on teaching rather than on managing disruptive and dangerous students as well as promote consistency in the application of disciplinary strategies by school staff.
- Increase the confidence of parents and communities that schools are safe and effective places for learning.

Funding

The Commissioner of Education is directed to allocate funds appropriated in the General Appropriations Act for an incentive award for each participating school district in an amount equal to 5 percent of the district's 1998-1999 salary and benefits expenditure for social workers, psychologists, and guidance counselors.

DOE estimates that the projected \$5.5 million estimated to fund this pilot program each year will employ approximately 100 additional student services staff members. The department noted, however, that the estimate would be approximately \$3.2 million on an annual basis if the district-reported expenditures are used as a basis for this determination. The department also noted that the number of additional number of staff needed would decrease if the district information was used.

Measurement of Effectiveness

The effectiveness of this act is measured by the core elements of the state school report card as evidenced by:

- Reduced referrals to the school office;
- Reduced truancy;
- Fewer in-school and out-of-school suspensions;
- Fewer drug related incidents;
- Reduced weapon-related offenses;
- Reduced incidents of violence;
- Increased student academic performance; and
- Increased parent and school staff satisfaction.

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?

No.

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

Student services personnel in the six counties participating will have additional duties.

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

No.

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

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

None.

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

N/A

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

N/A

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?

No.

5. Family Empowerment:

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

- (1) Who evaluates the family's needs?

No.

- (2) Who makes the decisions?

No.

- (3) Are private alternatives permitted?

No.

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

No.

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

No.

- 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?

No.

(3) government employees/agencies?

No.

D. STATUTE(S) AFFECTED:

Creates new section of law.

E. SECTION-BY-SECTION ANALYSIS:

Section 1 Creates "The Student Services Act for the Prevention of Violence in Education".

Section 2 Creates a pilot project in specified counties to enable school districts in those counties to provide students with skills in conflict resolution, anger management, and related subjects.

Section 3 Provides legislative intent.

Section 4 Provides purpose.

Section 5 Provides funding.

Section 6 Provides means to measure effectiveness.

Section 7 Provides an effective date of July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

The Commissioner of Education is directed to allocate funds appropriated in the General Appropriations Act for an incentive award for each participating school district in an amount equal to 5 percent of the district's 1998-1999 salary and benefits expenditure for social workers, psychologists, and guidance counselors. DOE estimates that 5 percent of the participating district's 1998-99 expenditure is \$5.5 million. This will employ approximately 100 additional student services staff members.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

Approximately \$5.5 million per year for the six counties involved in this program.

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:

Provides new jobs for student services personnel.

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

None.

D. FISCAL COMMENTS:

N/A

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

A. APPLICABILITY OF THE MANDATES PROVISION:

The bill does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

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

The bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

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- Amendment 2:** Clarifies that it is the intent to employ additional "certified" school counselors, "certified" school psychologists, and "certified" guidance counselors.
- Amendment 3:** Same as amendment #2.
- Amendment 4:** Adds monitoring and reporting requirements on the part of DOE.

VII. SIGNATURES:

COMMITTEE ON EDUCATION INNOVATION:
Prepared by:

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