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Proposed Committee Substitute by the Committee on Education

A bill to be entitled

An act relating to certified school counselors;
amending ss. 322.091, 381.0057, 1002.3105, 1003.21,
1003.43, 1003.491, 1004.04, 1006.025, 1007.35,
1008.42, 1009.53, 1012.01, 1012.71, and 1012.98, F.S.;
renaming guidance counselors as "certified school
counselors"; providing an effective date.

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

Section 1. Paragraph (b) of subsection (3) of section
322.091, Florida Statutes, is amended to read:

322.091 Attendance requirements.—

(3) HARDSHIP WAIVER AND APPEAL.—

(b) The public school principal, the principal's designee,
or the designee of the governing body of a private school shall
waive the requirements of subsection (1) for any minor under the
school's jurisdiction for whom a personal or family hardship
requires that the minor have a driver ~~driver's~~ license for his
or her own, or his or her family's, employment or medical care.
The minor or the minor's parent or guardian may present other
evidence that indicates compliance with the requirements of
subsection (1) at the waiver hearing. The public school
principal, the principal's designee, or the designee of the
governing body of a private school shall consider ~~take into~~
~~consideration~~ the recommendations of teachers, other school
officials, certified school ~~guidance~~ counselors, or academic
advisers before waiving the requirements of subsection (1).



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29 Section 2. Paragraph (b) of subsection (3) of section
30 381.0057, Florida Statutes, is amended to read:

31 381.0057 Funding for school health services.—

32 (3) Any school district, school, or laboratory school which
33 desires to receive state funding under the provisions of this
34 section shall submit a proposal to the joint committee
35 established in subsection (2). The proposal shall state the
36 goals of the program, provide specific plans for reducing
37 teenage pregnancy, and describe all of the health services to be
38 available to students with funds provided pursuant to this
39 section, including a combination of initiatives such as health
40 education, counseling, extracurricular, and self-esteem
41 components. School health services shall not promote elective
42 termination of pregnancy as a part of counseling services. Only
43 those program proposals which have been developed jointly by
44 county health departments and local school districts or schools,
45 and which have community and parental support, shall be eligible
46 for funding. Funding shall be available specifically for
47 implementation of one of the following programs:

48 (b) *Student support services team program.*—The program
49 shall include a multidisciplinary team composed of a
50 psychologist, social worker, and nurse whose responsibilities
51 are to provide basic support services and to assist, in the
52 school setting, children who exhibit mild to severely complex
53 health, behavioral, or learning problems affecting their school
54 performance. Support services ~~shall~~ include, but are not ~~be~~
55 limited to: evaluation and treatment of ~~for~~ minor illnesses and
56 injuries, referral and followup for serious illnesses and
57 emergencies, onsite care and consultation, referral to a



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58 physician, and followup care for pregnancy or chronic diseases
59 and disorders as well as emotional or mental problems. Services
60 also ~~shall~~ include referral care for drug and alcohol abuse and
61 sexually transmitted diseases, sports and employment physicals,
62 immunizations, and ~~in addition,~~ effective preventive services
63 aimed at delaying early sexual involvement and aimed at
64 pregnancy, acquired immune deficiency syndrome, sexually
65 transmitted diseases, and destructive lifestyle conditions, such
66 as alcohol and drug abuse. Moneys for this program shall be used
67 to fund three teams, each consisting of one half-time
68 psychologist, one full-time nurse, and one full-time social
69 worker. Each team shall provide student support services to an
70 elementary school, middle school, and high school that are a
71 part of one feeder school system and shall coordinate all
72 activities with the school administrator and certified school
73 ~~guidance~~ counselor at each school. A program that ~~which~~ places
74 all three teams in middle schools or high schools may also be
75 proposed.

76
77 Funding may also be available for any other program that is
78 comparable to a program described in this subsection but is
79 designed to meet the particular needs of the community.

80 Section 3. Paragraph (e) of subsection (3) of section
81 1002.3105, Florida Statutes, is amended to read:

82 1002.3105 Academically Challenging Curriculum to Enhance
83 Learning (ACCEL) options.—

84 (3) STUDENT ELIGIBILITY CONSIDERATIONS.—When establishing
85 student eligibility requirements, principals and school
86 districts must consider, at a minimum:



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87 (e) A recommendation from a certified school ~~guidance~~
88 counselor, if one is assigned to the school in which the student
89 is enrolled.

90 Section 4. Paragraph (c) of subsection (1) of section
91 1003.21, Florida Statutes, is amended to read:

92 1003.21 School attendance.—

93 (1)

94 (c) A student who attains the age of 16 years during the
95 school year is not subject to compulsory school attendance
96 beyond the date upon which he or she attains that age if the
97 student files a formal declaration of intent to terminate school
98 enrollment with the district school board. Public school
99 students who have attained the age of 16 years and who have not
100 graduated are subject to compulsory school attendance until the
101 formal declaration of intent is filed with the district school
102 board. The declaration must acknowledge that terminating school
103 enrollment is likely to reduce the student's earning potential
104 and must be signed by the student and the student's parent. The
105 school district shall ~~must~~ notify the student's parent of
106 receipt of the student's declaration of intent to terminate
107 school enrollment. The student's certified school ~~guidance~~
108 counselor or other school personnel shall ~~must~~ conduct an exit
109 interview with the student to determine the reasons for the
110 student's decision to terminate school enrollment and actions
111 that could be taken to keep the student in school. The student's
112 certified school counselor or other school personnel shall
113 inform the student ~~must be informed~~ of opportunities to continue
114 his or her education in a different environment, including, but
115 not limited to, adult education and GED test preparation.



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116 Additionally, the student shall ~~must~~ complete a survey in a
117 format prescribed by the Department of Education to provide data
118 on student reasons for terminating enrollment and actions taken
119 by schools to keep students enrolled.

120 Section 5. Paragraph (d) of subsection (7) of section
121 1003.43, Florida Statutes, is amended to read:

122 1003.43 General requirements for high school graduation.—

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

125 (d) Any Level I course unless the student's assessment
126 indicates that a more rigorous course of study would be
127 inappropriate, in which case a written assessment of the need
128 must be included in the student's individual educational plan or
129 in a student performance plan, signed by the principal, the
130 certified school ~~guidance~~ counselor, and the parent of the
131 student, or the student if the student is 18 years of age or
132 older.

133 Section 6. Subsection (3) and paragraph (a) of subsection
134 (4) of section 1003.491, Florida Statutes, are amended to read:

135 1003.491 Florida Career and Professional Education Act.—The
136 Florida Career and Professional Education Act is created to
137 provide a statewide planning partnership between the business
138 and education communities in order to attract, expand, and
139 retain targeted, high-value industry and to sustain a strong,
140 knowledge-based economy.

141 (3) The strategic 3-year plan developed jointly by the
142 local school district, regional workforce boards, economic
143 development agencies, and state-approved postsecondary
144 institutions shall be constructed and based on:



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145 (a) Research conducted to objectively determine local and
146 regional workforce needs for the ensuing 3 years, using labor
147 projections of the United States Department of Labor and the
148 Department of Economic Opportunity;

149 (b) Strategies to develop and implement career academies or
150 career-themed courses based on those careers determined to be
151 high-wage, high-skill, and high-demand;

152 (c) Strategies to provide shared, maximum use of private
153 sector facilities and personnel;

154 (d) Strategies that ensure instruction by industry-
155 certified faculty and standards and strategies to maintain
156 current industry credentials and for recruiting and retaining
157 faculty to meet those standards;

158 (e) Strategies to provide personalized student advisement,
159 including a parent-participation component, and coordination
160 with middle schools to promote and support career-themed courses
161 and education planning as required under s. 1003.4156;

162 (f) Alignment of requirements for middle school career
163 planning under s. 1003.4156(1)(a)5., middle and high school
164 career and professional academies or career-themed courses
165 leading to industry certification or postsecondary credit, and
166 high school graduation requirements;

167 (g) Provisions to ensure that career-themed courses and
168 courses offered through career and professional academies are
169 academically rigorous, meet or exceed appropriate state-adopted
170 subject area standards, result in attainment of industry
171 certification, and, when appropriate, result in postsecondary
172 credit;

173 (h) Plans to sustain and improve career-themed courses and



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- 174 career and professional academies;
- 175 (i) Strategies to improve the passage rate for industry
176 certification examinations if the rate falls below 50 percent;
- 177 (j) Strategies to recruit students into career-themed
178 courses and career and professional academies which include
179 opportunities for students who have been unsuccessful in
180 traditional classrooms but who are interested in enrolling in
181 career-themed courses or a career and professional academy.
182 School boards shall provide opportunities for students who may
183 be deemed ~~as~~ potential dropouts to enroll in career-themed
184 courses or participate in career and professional academies;
- 185 (k) Strategies to provide sufficient space within academies
186 to meet workforce needs and to provide access to all interested
187 and qualified students;
- 188 (l) Strategies to implement career-themed courses or career
189 and professional academy training that lead to industry
190 certification in juvenile justice education programs;
- 191 (m) Opportunities for high school students to earn weighted
192 or dual enrollment credit for higher-level career and technical
193 courses;
- 194 (n) Promotion of the benefits of the Gold Seal Bright
195 Futures Scholarship;
- 196 (o) Strategies to ensure the review of district pupil-
197 progression plans and to amend such plans to include career-
198 themed courses and career and professional academy courses and
199 to include courses that may qualify as substitute courses for
200 core graduation requirements and those that may be counted as
201 elective courses;
- 202 (p) Strategies to provide professional development for



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203 secondary certified school ~~guidance~~ counselors on the benefits
204 of career and professional academies and career-themed courses
205 that lead to industry certification; and

206 (q) Strategies to redirect appropriated career funding in
207 secondary and postsecondary institutions to support career
208 academies and career-themed courses that lead to industry
209 certification.

210 (4) The State Board of Education shall establish a process
211 for the continual and uninterrupted review of newly proposed
212 core secondary courses and existing courses requested to be
213 considered as core courses to ensure that sufficient rigor and
214 relevance is provided for workforce skills and postsecondary
215 education and aligned to state curriculum standards.

216 (a) The review of newly proposed core secondary courses
217 shall be the responsibility of a curriculum review committee
218 whose membership is approved by Workforce Florida, Inc., and
219 shall include:

220 1. Three certified high school ~~guidance~~ counselors
221 recommended by the Florida Association of Student Services
222 Administrators.

223 2. Three assistant superintendents for curriculum and
224 instruction, recommended by the Florida Association of District
225 School Superintendents and who serve in districts that operate
226 successful career and professional academies pursuant to s.
227 1003.492 or a successful series of courses that lead to industry
228 certification. Committee members in this category shall employ
229 the expertise of appropriate subject area specialists in the
230 review of proposed courses.

231 3. Three workforce representatives recommended by the



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232 Department of Economic Opportunity.

233 4. Three admissions directors of postsecondary institutions
234 accredited by the Southern Association of Colleges and Schools,
235 representing both public and private institutions.

236 5. The Commissioner of Education, or his or her designee,
237 responsible for K-12 curriculum and instruction. The
238 commissioner shall employ the expertise of appropriate subject
239 area specialists in the review of proposed courses.

240 Section 7. Paragraph (f) of subsection (5) of section
241 1004.04, Florida Statutes, is amended to read:

242 1004.04 Public accountability and state approval for
243 teacher preparation programs.—

244 (5) CONTINUED PROGRAM APPROVAL.—Notwithstanding subsection
245 (4), failure by a public or nonpublic teacher preparation
246 program to meet the criteria for continued program approval
247 shall result in loss of program approval. The Department of
248 Education, in collaboration with the departments and colleges of
249 education, shall develop procedures for continued program
250 approval that document the continuous improvement of program
251 processes and graduates' performance.

252 (f)1. Each Florida public and private institution that
253 offers a state-approved teacher preparation program must
254 annually report information regarding these programs to the
255 state and the general public. This information shall be reported
256 in a uniform and comprehensible manner that is consistent with
257 definitions and methods approved by the Commissioner of the
258 National Center for Educational Statistics and that is approved
259 by the State Board of Education. This information must include,
260 at a minimum:



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261 a. The percent of graduates obtaining full-time teaching
262 employment within the first year of graduation.

263 b. The average length of stay of graduates in their full-
264 time teaching positions.

265 c. Satisfaction ratings required in paragraph (e).

266 2. Each public and private institution offering training
267 for school readiness related professions, including training in
268 the fields of child care and early childhood education, whether
269 offering career credit, associate in applied science degree
270 programs, associate in science degree programs, or associate in
271 arts degree programs, shall annually report information
272 regarding these programs to the state and the general public in
273 a uniform and comprehensible manner that conforms with
274 definitions and methods approved by the State Board of
275 Education. This information must include, at a minimum:

276 a. Average length of stay of graduates in their positions.

277 b. Satisfaction ratings of graduates' employers.

278

279 This information shall be reported through publications,
280 including college and university catalogs and promotional
281 materials sent to potential applicants, certified secondary
282 school ~~guidance~~ counselors, and prospective employers of the
283 institution's program graduates.

284 Section 8. Paragraphs (a) and (c) of subsection (2) of
285 section 1006.025, Florida Statutes, are amended to read:

286 1006.025 Guidance services.—

287 (2) The guidance report shall include, but not be limited
288 to, the following:

289 (a) Examination of student access to certified school



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290 ~~guidance~~ counselors.

291 (c) Evaluation of the information and training available to
292 certified school ~~guidance~~ counselors and career specialists to
293 advise students on areas of critical need, labor market trends,
294 and technical training requirements.

295 Section 9. Paragraph (a) of subsection (5) of section
296 1007.35, Florida Statutes, is amended to read:

297 1007.35 Florida Partnership for Minority and
298 Underrepresented Student Achievement.—

299 (5) Each public high school, including, but not limited to,
300 schools and alternative sites and centers of the Department of
301 Juvenile Justice, shall provide for the administration of the
302 Preliminary SAT/National Merit Scholarship Qualifying Test
303 (PSAT/NMSQT), or Preliminary ACT (PLAN) to all enrolled 10th
304 grade students. However, a written notice shall be provided to
305 each parent that shall include the opportunity to exempt his or
306 her child from taking the PSAT/NMSQT or PLAN.

307 (a) Test results will provide each high school with a
308 database of student assessment data which certified school
309 ~~guidance~~ counselors will use to identify students who are
310 prepared or who need additional work to be prepared to enroll
311 and be successful in AP courses or other advanced high school
312 courses.

313 Section 10. Paragraph (b) of subsection (2) of section
314 1008.42, Florida Statutes, is amended to read:

315 1008.42 Public information on career education programs.—

316 (2) The dissemination shall be conducted in accordance with
317 the following procedures:

318 (b)1. Each district school board shall publish, at a



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319 minimum, the most recently available placement rate for each
320 career certificate program conducted by that school district at
321 the secondary school level and at the career degree level. The
322 placement rates for the preceding 3 years shall be published, if
323 available, shall be included in each publication that informs
324 the public of the availability of the program, and shall be made
325 available to each certified school ~~guidance~~ counselor. If a
326 program does not have a placement rate, a publication that lists
327 or describes that program must state that the rate is
328 unavailable.

329 2. Each Florida College System institution shall publish,
330 at a minimum, the most recent placement rate for each career
331 certificate program and for each career degree program in its
332 annual catalog. The placement rates for the preceding 3 years
333 shall be published, if available, and shall be included in any
334 publication that informs the public of the availability of the
335 program. If a program does not have a placement rate, the
336 publication that lists or describes that program must state that
337 the rate is unavailable.

338 3. If a school district or a Florida College System
339 institution has calculated for a program a placement rate that
340 differs from the rate reported by the department, and if each
341 record of a placement was obtained through a process that was
342 capable of being audited, procedurally sound, and consistent
343 statewide, the district or the Florida College System
344 institution may use the locally calculated placement rate in the
345 report required by this section. However, that rate may not be
346 combined with the rate maintained in the computer files of the
347 Department of Education's Florida Education and Training



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348 Placement Information Program.

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

352 Section 11. Subsection (3) of section 1009.53, Florida
353 Statutes, is amended to read:

354 1009.53 Florida Bright Futures Scholarship Program.—

355 (3) The Department of Education shall administer the Bright
356 Futures Scholarship Program according to rules and procedures
357 established by the State Board of Education. A single
358 application must be sufficient for a student to apply for any of
359 the three types of awards. The department shall ~~must~~ advertise
360 the availability of the scholarship program and shall ~~must~~
361 notify students, teachers, parents, certified school ~~guidance~~
362 counselors, and principals or other relevant school
363 administrators of the criteria and application procedures. The
364 department must begin this process of notification no later than
365 January 1 of each year.

366 Section 12. Paragraph (b) of subsection (2) of section
367 1012.01, Florida Statutes, is amended to read:

368 1012.01 Definitions.—As used in this chapter, the following
369 terms have the following meanings:

370 (2) INSTRUCTIONAL PERSONNEL.—“Instructional personnel”
371 means any K-12 staff member whose function includes the
372 provision of direct instructional services to students.
373 Instructional personnel also includes K-12 personnel whose
374 functions provide direct support in the learning process of
375 students. Included in the classification of instructional
376 personnel are the following K-12 personnel:



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377 (b) *Student personnel services.*—Student personnel services
378 include staff members responsible for: advising students with
379 regard to their abilities and aptitudes, educational and
380 occupational opportunities, and personal and social adjustments;
381 providing placement services; performing educational
382 evaluations; and similar functions. Included in this
383 classification are certified school guidance counselors, social
384 workers, career specialists, and school psychologists.

385 Section 13. Subsection (1) of section 1012.71, Florida
386 Statutes, is amended to read:

387 1012.71 The Florida Teachers Lead Program.—

388 (1) For purposes of the Florida Teachers Lead Program, the
389 term “classroom teacher” means a certified teacher employed by a
390 public school district or a public charter school in that
391 district on or before September 1 of each year whose full-time
392 or job-share responsibility is the classroom instruction of
393 students in prekindergarten through grade 12, including full-
394 time media specialists and certified school guidance counselors
395 serving students in prekindergarten through grade 12, who are
396 funded through the Florida Education Finance Program. A “job-
397 share” classroom teacher is one of two teachers whose combined
398 full-time equivalent employment for the same teaching assignment
399 equals one full-time classroom teacher.

400 Section 14. Paragraph (a) of subsection (3) of section
401 1012.98, Florida Statutes, is amended to read:

402 1012.98 School Community Professional Development Act.—

403 (3) The activities designed to implement this section must:

404 (a) Support and increase the success of educators through
405 collaboratively developed school improvement plans that focus



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406 on:

407 1. Enhanced and differentiated instructional strategies to
408 engage students in a rigorous and relevant curriculum based on
409 state and local educational standards, goals, and initiatives;

410 2. Increased opportunities to provide meaningful
411 relationships between teachers and all students; and

412 3. Increased opportunities for professional collaboration
413 among and between teachers, certified school guidance
414 counselors, instructional leaders, postsecondary educators
415 engaged in preservice training for new teachers, and the
416 workforce community.

417 Section 15. This act shall take effect July 1, 2013.