

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/SB 154

INTRODUCER: Education Committee and Senator Detert

SUBJECT: Certified School Counselors

DATE: April 21, 2013 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McLaughlin	Klebacha	ED	Fav/CS
2.	Armstrong	Elwell	AED	Favorable
3.	Elwell	Hansen	AP	Pre-meeting
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

CS/SB 154 substitutes “certified school counselor” for the term “guidance counselor.” This reflects the current requirement that persons employed as school counselors be certified as set forth by law and State Board of Education rule.

The bill has no fiscal impact.

The bill provides an effective date of July 1, 2013.

This bill substantially amends the following sections of the Florida Statutes: 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.

II. Present Situation:

Current law defines school counseling personnel as guidance counselors.¹ School counselors play a significant role in school guidance and counseling programs, which are designed to promote student success through a focus on academic achievement, prevention, intervention, and advocacy.² Now, guidance counselors evaluate students and participate in decisions relating to the promotion, remediation, and retention of students. Effective school guidance counselors work with school administrators, faculty, students, parents, and members of the community to plan, implement, and evaluate comprehensive guidance and counseling programs. In advising students, counselors identify needs, define priorities, and determine appropriate objectives. They also determine the personnel, physical resources, programs, and activities required to best serve the student.³

School counselors are considered instructional personnel within Florida's public school system.⁴ To be employed as a school counselor, a person must be certified as required by law and State Board of Education (SBE) rule.⁵ To be certified in guidance and counseling, a person must hold a master's or higher degree with a graduate major in guidance and counseling or counselor education or a master's or higher degree with 30 semester hours of graduate credit in specified guidance and counseling courses.⁶

III. Effect of Proposed Changes:

The bill replaces, within the Florida Statutes, the term "guidance counselor" with "certified school counselor." This change reflects the current requirement that persons employed as school counselors hold a certificate in guidance and counseling as provided by law and SBE rule.⁷

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹ s. 1012.01(2)(b), F.S.

² Florida Department of Education, Division of Workforce Development, *Florida's School Counseling and Guidance Framework: A Comprehensive Student Development Model* (2002), available at <http://www.fldoe.org/workforce/pdf/guidance.pdf> (last visited March 26, 2013).

³ *Id.*

⁴ s. 1012.01(2)(b), F.S.

⁵ s. 1012.55(1), F.S.

⁶ Rule 6A-4.0181, F.A.C.

⁷ See Section 1012.55(1), F.S., and Rule 6A-4.0181, F.A.C.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on April 1, 2013:

The committee substitute:

- Replaces the term “guidance counselor” with “certified school counselor”; and
- Removes from the bill specified duties of counselors, counselor to student ratios, minimum of full-time counselors per school, ratio of counselors to students in an annual audit, and required district rule adoption for counselors.

B. Amendments:

None.