

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 Rules

BILL: CS/CS/SB 1036

INTRODUCER: Rules Committee; Education Pre-K - 12 Committee; and Senator Calatayud

SUBJECT: School Counselors

DATE: February 18, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sabitsch</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Gray</u>	<u>Elwell</u>	<u>AED</u>	<u>Favorable</u>
3.	<u>Sabitsch</u>	<u>Kruse</u>	<u>RC</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1036 addresses provisions related to school counselors. Specifically, the bill:

- Requires that evaluation criteria for certified school counselors be based on indicators from the Florida School Counseling Standards.
- Provides an exemption for individuals seeking employment as a school counselor from the current certification requirement to demonstrate mastery of general knowledge and mastery of professional preparation and education competence but does not limit a school district from requiring that mastery as a condition of employment.

The bill does not have a fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

II. Present Situation:

Personnel Evaluation

The procedures for evaluating the performance of duties and responsibilities of all instructional, administrative and supervisory personnel employed by the school district are required to be

established by the district school superintendent for each school district.¹ The Department of Education (DOE) is required to approve and monitor each district's evaluation system.² The evaluation systems for instructional personnel and administrators are required to:³

- Be designed to support effective instruction and student learning growth, and performance evaluation results must be used when developing district and school level improvement plans.
- Provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of professional skills and that evaluation results be used for identifying professional learning needs.
- Include a mechanism to examine performance data from multiple sources, including opportunities for parents to provide input into employee performance evaluations when appropriate.
- Identify those teaching fields where special evaluation procedures and criteria are necessary.
- Identify differentiate among four levels of performance that include highly effective; effective; needs improvement; or unsatisfactory.
- Provide training and monitoring programs to ensure all individuals know how to use the evaluation system.

Florida law defines “instructional personnel” as any K-12 staff member whose function includes providing direct instructional services to students and those K-12 personnel whose functions provide direct support in the learning process of students.⁴ The classification of instructional personnel includes the following;

- Classroom teachers;
- Student personnel services (includes certified school counselors);
- Librarians/media specialists;
- Other instructional staff; and
- Educational professionals.

The DOE has adopted specific standards with the stated purpose of establishing Florida's expectations for school counselors.⁵ The standards are expected to inform the foundation for school counseling preparation programs, educator certification requirements, professional learning for school counselors, and school counselor evaluation systems. The standards include seven concepts that include:⁶

- Professional, legal, and ethical expectations;
- Data-driven planning;
- School counseling program;
- Consultation, collaboration, and coordination;
- Counseling services;
- Academic advising and planning; and
- Career development and postsecondary planning.

¹ Section 1012.34(1)(a), F.S.

² Section 1012.34(1)(b), F.S.

³ Section 1012.34(2), F.S.

⁴ Section 1012.01(2), F.S.

⁵ Rule 6A-5.079, F.A.C.

⁶ Rule 6A-5.079(3), F.A.C.

Educator Certification

Florida law requires the State Board of Education (SBE) to classify school services, designate the certification subject areas, establish competencies and certification requirements for all school-based personnel. The SBE adopts rules by which professional, temporary, and part-time certificates are issued by the Department of Education (DOE) to applicants who meet the established standards. Florida law requires each person in the following positions in any public school to hold an educator certificate required by law and by rules of the SBE:

- School supervisor.
- School principal.
- Teacher.
- Library media specialist.
- School counselor.
- Athletic coach.
- Other positions in which the individual serves in an instructional capacity.⁷

The purpose of certification is to require school-based personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”⁸

The DOE issues three main types of educator certificates:

- **Professional Certificate:** The professional certificate is Florida’s highest type of full-time educator certification.⁹ The professional certificate is valid for five years and is renewable.¹⁰
- **Temporary Certificate:** The temporary certificate covers employment in full-time positions for which educator certification is required.¹¹ An individual holding a temporary certificate must demonstrate mastery of general knowledge and professional preparation and education competence in order to apply for a professional certificate. Generally, a temporary certificate is valid for five years and is nonrenewable.¹²
- **Athletic Coaching Certificate:** The athletic coaching certificate covers full-time and part-time employment as a public school’s athletic coach.¹³ The DOE issues two types of athletic coaching certificates – one is valid for five years and may be issued for subsequent five-year periods while the other is valid for three years and may be issued only once. The five-year certificate requires satisfaction of certain specialization requirements established in rule.¹⁴

Professional Certificate Requirements

To be eligible for a professional certificate, a person must:

- Be at least 18 years of age;
- Sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;

⁷ Section 1012.55(1), F.S.

⁸ Section 1012.54, F.S.

⁹ Rule 6A-4.004(5), F.A.C.

¹⁰ Section 1012.56(7), F.S.

¹¹ Rule 6A-4.004(1), F.A.C.

¹² Section 1012.56(7), F.S.

¹³ Section 1012.55(2), F.S.

¹⁴ Rule 6A-4.004(7), F.A.C.

- Earn a bachelor's or higher degree from an accredited institution of higher learning or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor's or higher degree;
- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant's disqualification from certification or employment;
- Be of good moral character;
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher;
- Demonstrate mastery of general knowledge;
- Demonstrate mastery of subject area knowledge; and
- Demonstrate mastery of professional preparation and education competence, if the person serves as a classroom teacher or school administrator.¹⁵

Demonstrating Mastery of General Knowledge

Mastery of general knowledge may be demonstrated through any of the following methods:

- Achieving a passing score on the General Knowledge Test, which consist of subtests areas that include Essay, English Language Skills, Reading and Mathematics;¹⁶
- Achieving passing scores established in SBE rule on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills (*e.g.*, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination);
- Providing documentation of a valid professional standard teaching certificate issued by another U.S. state or territory, by the National Board for Professional Teaching Standards (NBPTS), or by the American Board for Certification of Teacher Excellence (ABCTE);
- Completing two semesters of successful, part-time or full-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution identified by the DOE as having a quality program;
- Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination and the SAT, ACT, and Classic Learning Test; or
- Documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.¹⁷

¹⁵ Section 1012.56(2), F.S.

¹⁶ Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida*, pg. 14 (2025), available at: <https://www.fldoe.org/core/fileparse.php/7479/urlt/FTCE28thEdition22Rule.pdf> (last visited Jan. 26, 2026).

¹⁷ Section 1012.56(3), F.S.

Demonstrating Mastery of Professional Preparation and Education Competence

Mastery of professional preparation and education competence may be demonstrated by any of the following:¹⁸

- Successful completion of an approved teacher preparation program at a postsecondary educational institution in Florida and achievement of a passing score on the professional education competency examination.
- Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination.
- Documentation of a valid professional standard teaching certificate issued by another state.
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education (SBE).
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the DOE as having a quality program and achievement of a passing score on the professional education competency examination.
- Successful completion of professional preparation courses as specified in SBE rule, successful completion of a professional education competence program, and documentation of 3 years of being rated effective or highly effective under while holding a temporary certificate.
- Successful completion of a professional learning certification program.
- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination.

Educator Certification Examination Fees

The DOE sets registration fees for the various exams required for educator certification, including initial registration and retakes. For the general knowledge exam, the initial registration fee is \$130.00 for the full battery of four subjects. An individual is able to retake the general knowledge exam by subtest with the retake registration fees being the following:

- One subtest - \$32.50.
- Two subtests - \$65.00.
- Three subtests - \$97.50.
- Full battery retake - \$130.00.

For subject area examinations and the professional educational test, the initial and retake registration fee is \$150.00.¹⁹

¹⁸ Section 1012.56(6), F.S.

¹⁹ Rule 6A-4.0021(4), F.A.C.

Current law and rule provide for several fee waivers including the Military Testing Fee Waiver, Retired First Responder Fee Waiver,²⁰ and Exceptional Student Education K–12/Elementary Education K–6 Waivers.²¹

Specific Requirements for School Counseling Certification

Florida Law provides multiple pathways to better enable students enrolled in postsecondary school counseling program to enter the workforce as certified school counselors.²² SBE rules outline three plans for specialized requirements for certification in school counseling in addition to the basic requirements for certification, as follows:

- Plan one consists of a master’s or higher degree with a graduate major in guidance and counseling or school counseling that includes a minimum of 600 clock hours of supervised internship serving school-aged students in a prekindergarten, an elementary or a secondary school setting.²³
- Plan two consists of a master’s or higher degree with a graduate major in counseling other than guidance and counseling or school counseling as specified in plan one that includes a minimum of 600 clock hours of supervised internship with school-aged children and their families with at least 9 semester hours of graduate credit to include the following areas:
 - Student appraisal and evaluation methods in prekindergarten, elementary and secondary schools;
 - College and career planning for prekindergarten, elementary and secondary school students including college and career exploration and knowledge of financial aid and financing of postsecondary education options;
 - Principles, philosophy, organization and administration of a comprehensive school counseling program in prekindergarten, elementary and secondary schools; and
 - Consultation skills and techniques for conferring with groups such as agencies, teachers and parents.²⁴
- Plan three consists of a master’s or higher degree with a graduate major in school counseling that includes a minimum of 300 clock hours of supervised internship serving school-aged students in a prekindergarten, elementary or secondary school setting if the applicant:
 - Is a current full-time teacher;
 - Has been employed as a teacher for at least 5 school years; and
 - Has earned an effective or highly effective rating under Section 1012.34, F.S., on his or her performance evaluation for the most recent 3 years the teacher was employed in a Florida public school.²⁵

III. Effect of Proposed Changes:

The bill amends s. 1012.55, F.S., to exempt those seeking employment as a school counselor from the demonstration of mastery of general knowledge and mastery of professional preparation and education competence requirements for educator certification. The bill specifies, however,

²⁰ Section 1012.59(3), F.S.

²¹ Section 1012.59(4), F.S.

²² Section 1004.0982, F.S.

²³ Rule 6A-4.0181(1), F.A.C.

²⁴ Rule 6A-4.0181(2), F.A.C.

²⁵ Rule 6A-4.0181(4), F.A.C.

that school districts are not precluded from requiring demonstration of mastery of those areas as a condition of employment.

The bill amends s. 1012.34, F.S., to require that, for certified school counselors, personnel evaluation criteria are required to be based on the Florida School Counseling Standards that have been adopted by the State Board of Education, rather than the Florida Educator Accomplished Practices.

The bill is effective on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not have a fiscal impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1012.55 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Rules on February 17, 2026:

The committee substitute removes the provision that exempted school counselors from having to demonstrate mastery of subject area knowledge for educator certification and instead provides an exemption from mastery of professional preparation and education competence.

Additionally, the committee substitute codifies that the Florida School Counseling Standards that have been adopted by the State Board of Education are to be used as the basis of the evaluation criteria for certified school counselors.

CS by Education Pre-K – 12 on January 20, 2026:

The committee substitute clarifies that the exemption from certification requirements authorized in the bill does not preclude public school districts from requiring the mastery of general and subject area knowledge as a condition of employment.

- B. **Amendments:**

None.