

By the Committee on Children, Families, and Elder Affairs; and  
Senators Jones and Rouson

586-02809-22

20221404c1

1 A bill to be entitled  
2 An act relating to certified school counselors;  
3 creating s. 1012.461, F.S.; providing certification  
4 requirements for school counselors; requiring  
5 certified school counselors to provide a certain  
6 program for a specified purpose; providing program  
7 requirements; authorizing such counselors to perform  
8 certain duties; prohibiting such counselors from  
9 performing certain duties; authorizing such counselors  
10 to perform specified additional duties under certain  
11 circumstances; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 1012.461, Florida Statutes, is created  
16 to read:

17 1012.461 Certified school counselors; authorized duties.-

18 (1) Certified school counselors must, at a minimum, hold  
19 the certificate required by law and by rule of the State Board  
20 of Education pursuant to s. 1012.55(1)(b). Certified school  
21 counselors must abide by the American School Counselor  
22 Association's Ethical Standards for School Counselors and  
23 provide a student-centered, data-informed, and outcome-oriented  
24 program that is integrated into the curricula and prepares  
25 students in prekindergarten through grade 12 for postsecondary  
26 education and training or a career. The program must be designed  
27 using the Department of Education's Florida's School Counseling  
28 Framework. School principals must use certified school  
29 counselors to deliver appropriate direct and indirect services

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30 to students pursuant to the American School Counselor  
31 Association's national model. Such delivery of services means  
32 working directly with students, instructional personnel, school  
33 administrators, parents, other school personnel, and the  
34 community to achieve an integrated approach to students'  
35 educational success and an effective transition to postsecondary  
36 education and training or a career and may include services  
37 recommended by the American School Counselor Association. A  
38 certified school counselor may perform the following duties,  
39 which are recommended by the American School Counselor  
40 Association:

41 (a) Advisement appraisal for academic planning, including,  
42 but not limited to, for postsecondary education and training or  
43 career coaching.

44 (b) Orientation, coordination, and academic advising for  
45 new students. However, a certified school counselor may not  
46 perform the clerical duties of coordinating paperwork or data  
47 entry for such students.

48 (c) Interpreting and supporting school administrators,  
49 instructional personnel, students, and students' parents in  
50 understanding students' cognitive, aptitude, and achievement  
51 tests. However, a certified school counselor may not serve as a  
52 testing coordinator.

53 (d) Providing counseling to students who are late to or  
54 absent from school.

55 (e) Providing mental health supports to students,  
56 including, but not limited to, individual and small group  
57 counseling, including short-term counseling; mental health  
58 services; suicide screenings and assessments; and collaborating

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59 with other school personnel, medical professionals, and  
60 community-based partners to provide referrals to both students  
61 and their families.

62 (f) Supporting students' social and emotional learning  
63 through classroom lessons and counseling.

64 (g) Consulting with classroom teachers to schedule and  
65 present school counseling curriculum lessons based on students'  
66 developmental needs. Such needs must be determined using data  
67 analyzed by certified school counselors.

68 (h) Interpreting students' records and, pursuant to state  
69 and federal law, rule, and regulation, protecting students'  
70 records and information. A certified school counselor must focus  
71 on delivering direct services to students and may not perform  
72 clerical duties, including, but not limited to, maintaining  
73 students' records, maintaining students' cumulative folders, or  
74 inputting students' grades.

75 (i) Analyzing students' grade point averages and their  
76 relationship to students' achievement.

77 (j) Consulting with classroom teachers about building  
78 classroom connections, managing effective classrooms, and the  
79 role of noncognitive factors in students' success.

80 (k) Consulting with a variety of stakeholders including,  
81 but not limited to, school principals and other school  
82 administrators, instructional personnel, parents, student  
83 services personnel, and other school personnel to identify and  
84 resolve students' issues, needs, and problems. A certified  
85 school counselor must be a nonjudgmental advocate for students,  
86 rather than a disciplinarian, and may not perform administrator-  
87 specific duties, including, but not limited to, building the

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88 master schedule.

89 (l) Advocating for students by participating as a team  
90 member, but not as a team leader, in individual education plan  
91 meetings, student study teams, responses to intervention plans,  
92 Section 504 plan meetings, multitiered systems of support, and  
93 school attendance review boards.

94 (m) Analyzing disaggregated schoolwide and school  
95 counseling program data for the delivery of programs and  
96 strategies to improve school success.

97 (n) Working with students of diverse backgrounds to create  
98 a positive and inclusive school culture for all students.

99 (2) A certified school counselor may also perform the  
100 following additional duties if such duties are required to be  
101 performed by the majority of instructional personnel during the  
102 school year:

103 (a) Covering classrooms when classroom teachers are absent  
104 or creating planning times for classroom teachers.

105 (b) Supervising common areas, including, but not limited  
106 to, the school's cafeteria during lunch periods or the areas  
107 where school buses drop off or pick up students before or after  
108 school.

109 Section 2. This act shall take effect July 1, 2022.