

1 A bill to be entitled

2 An act relating to out-of-school and in-school
3 suspension; amending s. 1002.20, F.S.; authorizing a
4 parent to give public testimony regarding a district
5 school board's out-of-school and in-school suspension
6 policy at a specified meeting; amending s. 1006.07,
7 F.S.; requiring a district school board to review its
8 rules authorizing out-of-school and in-school
9 suspension during a specified timeframe at a district
10 school board meeting; requiring the review to include
11 specified examinations of certain programs available
12 to suspended students; requiring the board to take
13 public testimony at the meeting; providing that the
14 rules expire under certain circumstances; providing
15 that all suspension hearings are exempt from specified
16 provisions; providing an effective date.

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

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20 Section 1. Paragraph (a) of subsection (4) of section
21 1002.20, Florida Statutes, is amended to read:

22 1002.20 K-12 student and parent rights.—Parents of public
23 school students must receive accurate and timely information
24 regarding their child's academic progress and must be informed
25 of ways they can help their child to succeed in school. K-12

26 | students and their parents are afforded numerous statutory
27 | rights including, but not limited to, the following:

28 | (4) DISCIPLINE.—

29 | (a) Suspension of public school student.—In accordance
30 | with the provisions of s. 1006.09(1)-(4):

31 | 1. A student may be suspended only as provided by rule of
32 | the district school board. A good faith effort must be made to
33 | immediately inform the parent by telephone of the student's
34 | suspension and the reason. Each suspension and the reason must
35 | be reported in writing within 24 hours to the parent by United
36 | States mail. A good faith effort must be made to use parental
37 | assistance before suspension unless the situation requires
38 | immediate suspension.

39 | 2. A student with a disability may only be recommended for
40 | suspension or expulsion in accordance with State Board of
41 | Education rules.

42 | 3. A parent may give public testimony at a district school
43 | board meeting that reviews the board's rules authorizing out-of-
44 | school and in-school suspension as provided in s. 1006.07(1)(a).

45 | Section 2. Paragraph (a) of subsection (1) of section
46 | 1006.07, Florida Statutes, is amended to read:

47 | 1006.07 District school board duties relating to student
48 | discipline and school safety.—The district school board shall
49 | provide for the proper accounting for all students, for the
50 | attendance and control of students at school, and for proper

51 attention to health, safety, and other matters relating to the
52 welfare of students, including:

53 (1) CONTROL OF STUDENTS.—

54 (a) Adopt rules for the control, discipline, in-school
55 suspension, suspension, and expulsion of students and decide all
56 cases recommended for expulsion. Once every 3 years, the
57 district school board shall review its rules authorizing
58 suspension, also referred to as out-of-school suspension, and
59 in-school suspension as a form of discipline during a district
60 school board meeting held pursuant to s. 1001.372. The review
61 must include school district data regarding the disability
62 status, race, gender, and rate of recidivism of each student in
63 the school district who has received an out-of-school or in-
64 school suspension since the district school board's last review.
65 The review must include an examination of the academic and
66 counseling programs that are made available to suspended
67 students. The district school board shall take public testimony
68 at the meeting. If such a meeting is not held in accordance with
69 this paragraph, the board's rules authorizing out-of-school and
70 in-school suspensions expire. All suspension hearings are
71 exempted from the provisions of chapter 120. Expulsion hearings
72 shall be governed by ss. 120.569 and 120.57(2) and are exempt
73 from s. 286.011. However, the student's parent must be given
74 notice of the provisions of s. 286.011 and may elect to have the
75 hearing held in compliance with that section. The district

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76 | school board may prohibit the use of corporal punishment, if the
77 | district school board adopts or has adopted a written program of
78 | alternative control or discipline.

79 | Section 3. This act shall take effect July 1, 2018.