

By Senator Baxley

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1 A bill to be entitled

2 An act relating to out-of-school suspension; amending
3 s. 1002.20, F.S.; authorizing a parent to give public
4 testimony regarding a district school board's out-of-
5 school suspension policy at a specified meeting;
6 amending s. 1006.07, F.S.; requiring a district school
7 board to review its rules authorizing out-of-school
8 suspension during a specified timeframe at a district
9 school board meeting; requiring the board to take
10 public testimony at the meeting; providing that the
11 rules expire under certain circumstances; providing an
12 effective date.

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

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16 Section 1. Paragraph (a) of subsection (4) of section
17 1002.20, Florida Statutes, is amended to read:

18 1002.20 K-12 student and parent rights.—Parents of public
19 school students must receive accurate and timely information
20 regarding their child's academic progress and must be informed
21 of ways they can help their child to succeed in school. K-12
22 students and their parents are afforded numerous statutory
23 rights including, but not limited to, the following:

24 (4) DISCIPLINE.—

25 (a) *Suspension of public school student.*—In accordance with
26 the provisions of s. 1006.09(1)-(4):

27 1. A student may be suspended only as provided by rule of
28 the district school board. A good faith effort must be made to
29 immediately inform the parent by telephone of the student's
30 suspension and the reason. Each suspension and the reason must
31 be reported in writing within 24 hours to the parent by United
32 States mail. A good faith effort must be made to use parental

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33 assistance before suspension unless the situation requires
34 immediate suspension.

35 2. A student with a disability may only be recommended for
36 suspension or expulsion in accordance with State Board of
37 Education rules.

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

41 Section 2. Paragraph (a) of subsection (1) of section
42 1006.07, Florida Statutes, is amended to read:

43 1006.07 District school board duties relating to student
44 discipline and school safety.—The district school board shall
45 provide for the proper accounting for all students, for the
46 attendance and control of students at school, and for proper
47 attention to health, safety, and other matters relating to the
48 welfare of students, including:

49 (1) CONTROL OF STUDENTS.—

50 (a) Adopt rules for the control, discipline, in-school
51 suspension, suspension, and expulsion of students and decide all
52 cases recommended for expulsion. Once every 3 years, the
53 district school board shall review its rules authorizing out-of-
54 school suspension as a form of discipline during a district
55 school board meeting held pursuant to s. 1001.372. The review
56 must include school district data regarding the disability
57 status, race, gender, and rate of recidivism of each student in
58 the school district who has received out-of-school suspension
59 since the district school board's last review. The district
60 school board shall take public testimony at the meeting. If such
61 a meeting is not held in accordance with this paragraph, the

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62 board's rules authorizing out-of-school suspension expire.
63 Suspension hearings are exempted from the provisions of chapter
64 120. Expulsion hearings shall be governed by ss. 120.569 and
65 120.57(2) and are exempt from s. 286.011. However, the student's
66 parent must be given notice of the provisions of s. 286.011 and
67 may elect to have the hearing held in compliance with that
68 section. The district school board may prohibit the use of
69 corporal punishment, if the district school board adopts or has
70 adopted a written program of alternative control or discipline.
71 Section 3. This act shall take effect July 1, 2017.