

By Senator Klein

28-247A-02

See HB 53

1 A bill to be entitled
2 An act relating to in-school suspension;
3 amending s. 228.041, F.S.; revising the
4 definition of the term "in-school suspension"
5 to include an additional alternative program;
6 creating s. 230.23155, F.S.; providing funding
7 for the establishment of School-based
8 Alternative to Suspension Programs (SASPs);
9 providing a process for applying to the
10 Commissioner of Education for funds to
11 establish and conduct a SASP; providing program
12 requirements; requiring an annual report;
13 providing for future repeal; providing an
14 effective date.

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

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18 Section 1. Paragraph (b) of subsection (25) of section
19 228.041, Florida Statutes, is amended to read:

20 228.041 Definitions.--Specific definitions shall be as
21 follows, and wherever such defined words or terms are used in
22 the Florida School Code, they shall be used as follows:

23 (25) SUSPENSION.--

24 (b) In-school suspension is the temporary removal of a
25 student from the student's regular school program and
26 placement in an alternative program, such as that provided in
27 ss. s-230.2316 and 230.23155, under the supervision of school
28 district personnel, for a period not to exceed 10 school days.

29 Section 2. Section 230.23155, Florida Statutes, is
30 created to read:

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1 230.23155 School-based Alternative to Suspension
2 Programs.--To provide an alternative to out-of-school
3 suspension, the Legislature hereby appropriates the sum of
4 \$1,875,000 from the General Revenue Fund for each of fiscal
5 years 2002-2003, 2003-2004, 2004-2005, and 2005-2006 to the
6 Department of Education for the establishment of School-based
7 Alternative to Suspension Programs (SASPs) according to the
8 provisions of this section.
9 (1) A public school district or a consortium of
10 districts, in partnership with a local mental health care
11 agency that has expertise in youth and family counseling, may
12 apply to the Commissioner of Education for up to \$75,000 per
13 SASP to establish the counseling component and conduct up to
14 five SASPs. Such an application must include:
15 (a) A letter of support from each district's school
16 board.
17 (b) A letter from each school's principal and school
18 advisory council committing adequate space to house the SASP
19 and pledging the school's compliance with proper program
20 implementation and utilization.
21 (c) Letters of commitment from the school district,
22 local municipalities, local government agencies, or
23 community-based organizations, or a combination thereof, for
24 funds equaling at least one-third of the amount of the grant
25 request.
26 (d) Letters of support from local colleges and
27 universities promising to place counseling interns in the
28 SASP.
29 (e) Projected student outcomes.
30 (f) A proposal for fulfilling the program requirements
31 of subsection (2).

1 (2) A school principal, in partnership with a local
2 mental health care agency, may establish a SASP. A SASP must
3 include the following components:

4 (a) Students participating in the SASP must be
5 provided with academic tutoring, intake assessment,
6 counseling, instruction in life skills, aftercare sessions,
7 and, as indicated, referrals to appropriate community-based
8 agencies that offer services on a sliding scale for continued
9 individual counseling, family counseling, or both.

10 (b) The school day for the SASP must be at least the
11 length of the school day as defined by s. 228.041(13), and a
12 student who is participating in a SASP must attend for the
13 full day each day he or she is assigned to the SASP.

14 (c) A school that has more than 2,000 students must
15 request two SASPs.

16 (d) Space within the fixed school building must be
17 dedicated solely to the SASP. Such space must include
18 classroom space that has a phone or other means of direct
19 communication with the school administration and separate
20 office space for individual and group counseling. Minimum
21 requirements are approximately 1100 square feet.

22 (e) The SASP staff must include, but need not be
23 limited to, a certified teacher, a counselor who has expertise
24 in youth and family counseling and who possesses a masters
25 degree, a counseling intern, and a part-time clerical
26 assistant or volunteer help.

27 (f) SASP staff shall conduct inservice training for
28 school faculty on effective classroom management and
29 alternative, positive disciplinary techniques.

30 (3) With the parent's permission, a student may be
31 assigned by the principal or the principal's designee to a

1 SASP for a 5-day period, in lieu of an out-of-school
2 suspension. At the discretion of the counseling staff, a
3 student may be released after 3 days or, if the counseling
4 staff considers it necessary, may be retained in the program
5 for an additional 5-day period. A student may participate in a
6 SASP a maximum of three times per school year.

7 (4) Annually, by October 1, the counseling agency for
8 each SASP that receives funds under this section must submit
9 to the Commissioner of Education a report that includes, but
10 is not limited to:

11 (a) Program expenditures.

12 (b) Number of program referrals by grade, sex, and
13 race.

14 (c) Number of students referred to the program one,
15 two, and three times.

16 (d) Number of SASP students subsequently suspended out
17 of school.

18 (e) Duplicated and unduplicated suspensions for the
19 school.

20 (f) The dropout rate, which must be included by
21 participating high schools.

22 (g) Principal, faculty, student, and SASP staff
23 comments regarding the effectiveness of the program.

24 (5) By January 1, 2006, the Commissioner of Education
25 must submit to the Governor, the President of the Senate, the
26 Speaker of the House of Representatives, and the majority and
27 minority leaders of the Senate and the House of
28 Representatives an evaluation of the effectiveness of the
29 School-based Alternative to Suspension Programs.

30 (6) This section is repealed effective July 1, 2006.

31 Section 3. This act shall take effect July 1, 2002.

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LEGISLATIVE SUMMARY

Revises the definition of the term "in-school suspension" to include an additional alternative. Provides funding for the establishment of School-based Alternative to Suspension Programs (SASPs) as an alternative to out-of-school suspension. Provides procedures for applying to the Commissioner of Education for funds to establish and conduct a SASP. Provides program requirements. Requires an annual report. Provides for future repeal.