

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
 5 suspension policy at a specified meeting; amending s.
 6 1006.07, F.S.; requiring a district school board to
 7 review its rules authorizing suspension during a
 8 specified timeframe at a district school board
 9 meeting; requiring the board to take public testimony
 10 at the meeting; providing that the rules expire under
 11 certain circumstances; providing an effective date.

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

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

17 1002.20 K-12 student and parent rights.—Parents of public
 18 school students must receive accurate and timely information
 19 regarding their child's academic progress and must be informed
 20 of ways they can help their child to succeed in school. K-12
 21 students and their parents are afforded numerous statutory
 22 rights including, but not limited to, the following:

23 (4) DISCIPLINE.—

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

26 1. A student may be suspended only as provided by rule of
 27 the district school board. A good faith effort must be made to
 28 immediately inform the parent by telephone of the student's
 29 suspension and the reason. Each suspension and the reason must

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30 be reported in writing within 24 hours to the parent by United
31 States mail. A good faith effort must be made to use parental
32 assistance before suspension unless the situation requires
33 immediate suspension.

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

37 3. A parent may give public testimony at a district school
38 board meeting that reviews the board's rules authorizing
39 suspension, also referred to as out-of-school suspension, as
40 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
54 suspension, also referred to as out-of-school-suspension, as a
55 form of discipline during a district school board meeting held
56 pursuant to s. 1001.372. The review must include school district
57 data regarding the disability status, race, gender, and rate of
58 recidivism of each student in the school district who has

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59 received suspension since the district school board's last
60 review. The district school board shall take public testimony at
61 the meeting. If such a meeting is not held in accordance with
62 this paragraph, the board's rules authorizing suspension expire.
63 All suspension hearings are exempted from the provisions of
64 chapter 120. Expulsion hearings shall be governed by ss. 120.569
65 and 120.57(2) and are exempt from s. 286.011. However, the
66 student's parent must be given notice of the provisions of s.
67 286.011 and may elect to have the hearing held in compliance
68 with that section. The district school board may prohibit the
69 use of corporal punishment, if the district school board adopts
70 or has adopted a written program of alternative control or
71 discipline.

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