

By Senator Cruz

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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 data and examinations of certain programs
12 available to suspended students; requiring the board
13 to take public testimony at the meeting; providing
14 that the rules expire under certain circumstances;
15 providing that all suspension hearings are exempt from
16 specified 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.*—

18-01718-19

20191628__

30 1. In accordance with ~~the provisions of~~ s. 1006.09(1)-(4):

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

42 2. In accordance with s. 1006.07(1)(a), a parent may give
43 public testimony at a district school board meeting that reviews
44 the board's rules authorizing out-of-school and in-school
45 suspension.

46 Section 2. Paragraph (a) of subsection (1) of section
47 1006.07, Florida Statutes, is amended to read:

48 1006.07 District school board duties relating to student
49 discipline and school safety.—The district school board shall
50 provide for the proper accounting for all students, for the
51 attendance and control of students at school, and for proper
52 attention to health, safety, and other matters relating to the
53 welfare of students, including:

54 (1) CONTROL OF STUDENTS.—

55 (a) Adopt rules for the control, discipline, in-school
56 suspension, suspension, and expulsion of students and decide all
57 cases recommended for expulsion. Once every 3 years, the
58 district school board shall review its rules authorizing

18-01718-19

20191628__

59 suspension, also referred to as out-of-school suspension, and
60 in-school suspension as a form of discipline during a district
61 school board meeting held pursuant to s. 1001.372. The review
62 must include school district data regarding the disability
63 status, race, gender, and rate of recidivism of each student in
64 the school district who has received an out-of-school or in-
65 school suspension since the district school board's last review.
66 The review must include an examination of the academic and
67 counseling programs that are made available to suspended
68 students. The district school board shall take public testimony
69 at the meeting. If such a meeting is not held in accordance with
70 this paragraph, the board's rules authorizing out-of-school and
71 in-school suspensions expire. All suspension hearings are
72 exempted from the provisions of chapter 120. Expulsion hearings
73 shall be governed by ss. 120.569 and 120.57(2) and are exempt
74 from s. 286.011. However, the student's parent must be given
75 notice of the provisions of s. 286.011 and may elect to have the
76 hearing held in compliance with that section. The district
77 school board may prohibit the use of corporal punishment, if the
78 district school board adopts or has adopted a written program of
79 alternative control or discipline.

80 Section 3. This act shall take effect July 1, 2019.