

By Senator Taddeo

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1 A bill to be entitled
2 An act relating to corporal punishment in public
3 schools; providing a short title; amending s. 1002.20,
4 F.S.; specifying that only school principals, and not
5 teachers, may administer corporal punishment to public
6 school students; requiring school principals to notify
7 students' parents in writing and receive written
8 consent before administering corporal punishment;
9 requiring school principals who have administered
10 corporal punishment to provide parents with written
11 explanations of the punishment; amending s. 1003.01,
12 F.S.; revising the definition of the term "corporal
13 punishment"; conforming a provision to changes made by
14 the act; amending s. 1003.32, F.S.; authorizing
15 teachers and other instructional personnel to request
16 that principals administer corporal punishment;
17 prohibiting principals from administering corporal
18 punishment unless they have taken specified actions;
19 prohibiting principals from administering corporal
20 punishment to students with disabilities; conforming
21 provisions to changes made by the act; providing an
22 effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. This act may be cited as the "Sofia Taddeo-
27 Goldstein Act."

28 Section 2. Paragraph (c) of subsection (4) of section
29 1002.20, Florida Statutes, is amended to read:

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30 1002.20 K-12 student and parent rights.—Parents of public
31 school students must receive accurate and timely information
32 regarding their child’s academic progress and must be informed
33 of ways they can help their child to succeed in school. K-12
34 students and their parents are afforded numerous statutory
35 rights including, but not limited to, the following:

36 (4) DISCIPLINE.—

37 (c) *Corporal punishment*.—

38 1. In accordance with ~~the provisions of~~ s. 1003.32,
39 corporal punishment of a public school student may only be
40 administered by a ~~teacher or~~ school principal within guidelines
41 prepared by ~~of~~ the school principal and according to district
42 school board policy. The school principal must notify the
43 student’s parent in writing, and the student’s parent must
44 provide written consent, before the principal administers the
45 punishment. Another adult must be present and must be informed
46 in the student’s presence of the reason for the punishment. A
47 ~~Upon request, the teacher or~~ school principal who has
48 administered corporal punishment must provide the parent with a
49 written explanation of the reason for the punishment and the
50 name of the other adult who was present.

51 2. A district school board having a policy authorizing the
52 use of corporal punishment as a form of discipline shall review
53 its policy on corporal punishment once every 3 years during a
54 district school board meeting held pursuant to s. 1001.372. The
55 district school board shall take public testimony at the board
56 meeting. If such board meeting is not held in accordance with
57 this subparagraph, the portion of the district school board’s
58 policy authorizing corporal punishment expires.

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59 Section 3. Subsection (7) of section 1003.01, Florida
60 Statutes, is amended to read:

61 1003.01 Definitions.—As used in this chapter, the term:

62 (7) "Corporal punishment" means the moderate use of
63 physical force or physical contact by a ~~teacher or~~ principal as
64 may be necessary to maintain discipline or to enforce school
65 rule through the use of a paddle. However, the term "corporal
66 punishment" does not include the use of such reasonable force by
67 a ~~teacher or~~ principal as may be necessary for self-protection
68 or to protect other students from disruptive students.

69 Section 4. Paragraph (k) of subsection (1) of section
70 1003.32, Florida Statutes, is amended to read:

71 1003.32 Authority of teacher; responsibility for control of
72 students; district school board and principal duties.—Subject to
73 law and to the rules of the district school board, each teacher
74 or other member of the staff of any school shall have such
75 authority for the control and discipline of students as may be
76 assigned to him or her by the principal or the principal's
77 designated representative and shall keep good order in the
78 classroom and in other places in which he or she is assigned to
79 be in charge of students.

80 (1) In accordance with this section and within the
81 framework of the district school board's code of student
82 conduct, teachers and other instructional personnel shall have
83 the authority to undertake any of the following actions in
84 managing student behavior and ensuring the safety of all
85 students in their classes and school and their opportunity to
86 learn in an orderly and disciplined classroom:

87 (k) Request the principal to administer ~~Use~~ corporal

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88 punishment according to school board policy and at least the
89 following procedures, if a teacher feels that corporal
90 punishment is necessary:

91 ~~1. The use of corporal punishment shall be approved in~~
92 ~~principle by the principal before it is used, but approval is~~
93 ~~not necessary for each specific instance in which it is used.~~
94 The principal shall prepare guidelines for administering such
95 punishment which identify the types of punishable offenses and
96 the conditions under which the punishment may ~~shall~~ be
97 administered, ~~and the specific personnel on the school staff~~
98 ~~authorized to administer the punishment.~~

99 2. A ~~teacher or~~ principal may administer corporal
100 punishment only in the presence of another adult who is informed
101 beforehand, and in the student's presence, of the reason for the
102 punishment.

103 3. A principal may not administer corporal punishment to a
104 student unless the principal has notified the student's parent
105 in writing and received written consent from the student's
106 parent before the principal administers the punishment. However,
107 a principal may not administer corporal punishment to a student
108 with any disability as that term is defined in s. 1002.51(2).

109 4. A ~~teacher or~~ principal who has administered corporal
110 punishment shall, ~~upon request,~~ provide the student's parent
111 with a written explanation of the reason for the punishment and
112 the name of the other adult who was present.

113 Section 5. This act shall take effect July 1, 2021.