

By Senator Thompson

15-00430A-24

20241318\_\_

1                   A bill to be entitled  
2       An act relating to corporal punishment; amending s.  
3       1002.20, F.S.; conforming provisions to changes made  
4       by the act; amending s. 1002.33, F.S.; requiring  
5       charter schools to comply with general law relating to  
6       corporal punishment; amending s. 1003.01, F.S.;  
7       conforming provisions to changes made by the act;  
8       amending s. 1003.32, F.S.; deleting provisions  
9       authorizing teachers to administer corporal  
10      punishment; providing duties of and responsibilities  
11      for principals relating to corporal punishment;  
12      requiring a specified notification be provided to  
13      parents relating to corporal punishment; providing  
14      requirements for a student to be disciplined using  
15      corporal punishment; prohibiting the use of corporal  
16      punishment on specified students; providing reporting  
17      requirements relating to corporal punishment;  
18      providing an effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

21  
22       Section 1. Paragraph (c) of subsection (4) of section  
23       1002.20, Florida Statutes, is amended to read:

24       1002.20 K-12 student and parent rights.—Parents of public  
25       school students must receive accurate and timely information  
26       regarding their child's academic progress and must be informed  
27       of ways they can help their child to succeed in school. K-12  
28       students and their parents are afforded numerous statutory  
29       rights including, but not limited to, the following:

15-00430A-24

20241318\_\_

30 (4) DISCIPLINE.—

31 (c) *Corporal punishment*.—

32 1. ~~In accordance with the provisions of s. 1003.32,~~  
33 Corporal punishment of a public school student may only be  
34 administered in accordance with s. 1003.32 (1) (k) ~~by a teacher or~~  
35 ~~school principal within guidelines of the school principal~~ and  
36 according to district school board policy. Another adult must be  
37 present and must be informed in the student's presence of the  
38 reason for the punishment. ~~Upon request, the teacher or school~~  
39 ~~principal must provide the parent with a written explanation of~~  
40 ~~the reason for the punishment and the name of the other adult~~  
41 ~~who was present.~~

42 2. A district school board having a policy authorizing the  
43 use of corporal punishment as a form of discipline shall review  
44 its policy on corporal punishment once every 3 years during a  
45 district school board meeting held pursuant to s. 1001.372. The  
46 district school board shall take public testimony at the board  
47 meeting. If such board meeting is not held in accordance with  
48 this subparagraph, the portion of the district school board's  
49 policy authorizing corporal punishment expires.

50 Section 2. Paragraph (b) of subsection (16) of section  
51 1002.33, Florida Statutes, is amended to read:

52 1002.33 Charter schools.—

53 (16) EXEMPTION FROM STATUTES.—

54 (b) Additionally, a charter school shall be in compliance  
55 with the following statutes:

56 1. Section 286.011, relating to public meetings and  
57 records, public inspection, and criminal and civil penalties.

58 2. Chapter 119, relating to public records.

15-00430A-24

20241318\_\_

- 59           3. Section 1003.03, relating to the maximum class size,  
60 except that the calculation for compliance pursuant to s.  
61 1003.03 shall be the average at the school level.
- 62           4. Section 1012.22(1)(c), relating to compensation and  
63 salary schedules.
- 64           5. Section 1012.33(5), relating to workforce reductions.
- 65           6. Section 1012.335, relating to contracts with  
66 instructional personnel hired on or after July 1, 2011.
- 67           7. Section 1012.34, relating to the substantive  
68 requirements for performance evaluations for instructional  
69 personnel and school administrators.
- 70           8. Section 1006.12, relating to safe-school officers.
- 71           9. Section 1006.07(7), relating to threat management teams.
- 72           10. Section 1006.07(9), relating to School Environmental  
73 Safety Incident Reporting.
- 74           11. Section 1006.07(10), relating to reporting of  
75 involuntary examinations.
- 76           12. Section 1006.1493, relating to the Florida Safe Schools  
77 Assessment Tool.
- 78           13. Section 1006.07(6)(d), relating to adopting an active  
79 assailant response plan.
- 80           14. Section 943.082(4)(b), relating to the mobile  
81 suspicious activity reporting tool.
- 82           15. Section 1012.584, relating to youth mental health  
83 awareness and assistance training.
- 84           16. Section 1001.42(4)(f)2., relating to middle school and  
85 high school start times. A charter school-in-the-workplace is  
86 exempt from this requirement.
- 87           17. Section 1003.32(1)(k), relating to corporal punishment.

15-00430A-24

20241318\_\_

88 Section 3. Subsection (6) of section 1003.01, Florida  
89 Statutes, is amended to read:

90 1003.01 Definitions.—As used in this chapter, the term:

91 (6) "Corporal punishment" means the moderate use of  
92 physical force or physical contact by a ~~teacher or~~ principal as  
93 may be necessary to maintain discipline or to enforce school  
94 rule. However, the term "corporal punishment" does not include  
95 the use of such reasonable force by a teacher or principal as  
96 may be necessary for self-protection or to protect other  
97 students from disruptive students.

98 Section 4. Paragraph (k) of subsection (1) of section  
99 1003.32, Florida Statutes, is amended to read:

100 1003.32 Authority of teacher; responsibility for control of  
101 students; district school board and principal duties.—Subject to  
102 law and to the rules of the district school board, each teacher  
103 or other member of the staff of any school shall have such  
104 authority for the control and discipline of students as may be  
105 assigned to him or her by the principal or the principal's  
106 designated representative and shall keep good order in the  
107 classroom and in other places in which he or she is assigned to  
108 be in charge of students.

109 (1) In accordance with this section and within the  
110 framework of the district school board's code of student  
111 conduct, teachers and other instructional personnel shall have  
112 the authority to undertake any of the following actions in  
113 managing student behavior and ensuring the safety of all  
114 students in their classes and school and their opportunity to  
115 learn in an orderly and disciplined classroom:

116 (k) Use corporal punishment according to school board

15-00430A-24

20241318\_\_

117 policy and at least the following procedures, if a principal  
118 ~~teacher~~ feels that corporal punishment is necessary:

119 1. The use of corporal punishment shall be approved ~~in~~  
120 ~~principle~~ by the principal before it is used and may only be  
121 administered by the principal, ~~but approval is not necessary for~~  
122 ~~each specific instance in which it is used.~~ The principal shall  
123 prepare guidelines for administering such punishment which  
124 identify the types of punishable offenses and, the conditions  
125 under which the punishment shall be administered, ~~and the~~  
126 ~~specific personnel on the school staff authorized to administer~~  
127 ~~the punishment.~~

128 2. A ~~teacher or~~ principal may administer corporal  
129 punishment only in the presence of another adult who is informed  
130 beforehand, and in the student's presence, of the reason for the  
131 punishment. Before a principal may administer corporal  
132 punishment, he or she must, in the presence of another adult,  
133 verify that the parent of such student has completed the form  
134 required under subparagraph 3. and consented to allow the  
135 administration of corporal punishment on his or her student.

136 3.a. A ~~teacher or~~ principal who elects to use corporal  
137 punishment must at the beginning of the school year provide each  
138 parent of a student enrolled at his or her school a written form  
139 that allows the parent to authorize the use of corporal  
140 punishment when disciplining his or her student. The form must  
141 read: "Do you authorize the use of corporal punishment on your  
142 child? Florida Statutes defines the term 'corporal punishment'  
143 as 'the moderate use of physical force or physical contact by a  
144 principal as may be necessary to maintain school discipline or  
145 to enforce school rule.' Your school district's code of student

15-00430A-24

20241318\_\_

146 conduct provides further information on how corporal punishment  
147 may be administered at your student's school. Please check YES  
148 if you consent to the use of corporal punishment on your student  
149 or check NO if you do not consent to the use of corporal  
150 punishment on your student and provide your signature. You may  
151 contact your student's principal with any relevant questions  
152 about the administration of corporal punishment."

153 b. Each principal must collect and store the completed  
154 forms.

155 c. If a student's parent does not return a completed form  
156 or returns a completed form and does not consent to the use of  
157 corporal punishment as a disciplinary measure for his or her  
158 student, a principal may not administer corporal punishment on  
159 the student.

160 4. Once a principal has administered the corporal  
161 punishment, he or she shall, ~~upon request,~~ provide the student's  
162 parent with a written explanation of the reason for the  
163 punishment and the name of the other adult who was present and  
164 the name of the other adult who witnessed the principal verify  
165 the student's parental consent form before the administration of  
166 the corporal punishment.

167 5. Corporal punishment may not be used to discipline the  
168 following students:

169 a. Exceptional students as defined in s. 1003.01(9).

170 b. Students with an individual education plan under s.  
171 1003.5716.

172 c. Students who attend an alternative school as described  
173 in s. 1008.341(2).

174 d. Children and youths who are experiencing homelessness as

15-00430A-24

20241318\_\_

175 defined in s. 1003.01.

176 e. Students covered under s. 504 of the Rehabilitation Act  
177 of 1973 and 29 U.S.C. s. 794.

178 6. Each principal must annually compile the following  
179 information and submit such information to the Office of Safe  
180 Schools and the school district:

181 a. The number of instances where corporal punishment was  
182 used during the school year.

183 b. The number of students who were punished using corporal  
184 punishment during the school year.

185 c. The number of students who were punished more than once  
186 using corporal punishment during the school year.

187 Section 5. This act shall take effect July 1, 2024.