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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:

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.

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
72 | teams.

73 | 10. Section 1006.07(9), relating to School Environmental
74 | Safety Incident Reporting.

75 | 11. Section 1006.07(10), relating to reporting of

76 involuntary examinations.

77 12. Section 1006.1493, relating to the Florida Safe
78 Schools Assessment Tool.

79 13. Section 1006.07(6)(d), relating to adopting an active
80 assailant response plan.

81 14. Section 943.082(4)(b), relating to the mobile
82 suspicious activity reporting tool.

83 15. Section 1012.584, relating to youth mental health
84 awareness and assistance training.

85 16. Section 1001.42(4)(f)2., relating to middle school and
86 high school start times. A charter school-in-the-workplace is
87 exempt from this requirement.

88 17. Section 1003.32(1)(k), relating to corporal
89 punishment.

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

92 1003.01 Definitions.—As used in this chapter, the term:

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

100 Section 4. Paragraph (k) of subsection (1) of section

101 1003.32, Florida Statutes, is amended to read:

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

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

118 (k) Use corporal punishment according to school board
 119 policy and at least the following procedures, if a principal
 120 ~~teacher~~ feels that corporal punishment is necessary:

121 1. The use of corporal punishment shall be approved ~~in~~
 122 principle by the principal before it is used and may only be
 123 administered by the principal, ~~but approval is not necessary for~~
 124 ~~each specific instance in which it is used~~. The principal shall
 125 prepare guidelines for administering such punishment which

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126 identify the types of punishable offenses and, the conditions
127 under which the punishment shall be administered, ~~and the~~
128 ~~specific personnel on the school staff authorized to administer~~
129 ~~the punishment.~~

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

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

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151 or check NO if you do not consent to the use of corporal
152 punishment on your student and provide your signature. You may
153 contact your student's principal with any relevant questions
154 about the administration of corporal punishment."

155 b. Each principal must collect and store the completed
156 forms.

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

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

169 5. Corporal punishment may not be used to discipline the
170 following students:

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

172 b. Students with an individual education plan under s.
173 1003.5716.

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

176 d. Children and youths who are experiencing homelessness
177 as defined in s. 1003.01.

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

180 6. Each principal must annually compile the follow
181 information and submit such information to the Office of Safe
182 Schools and the school district.

183 a. The number of instances where corporal punishment was
184 used during the school year.

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

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

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