

1989

## Session Law 89-288

Florida Senate & House of Representatives

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**S 825 GENERAL BILL/2ND ENG by Davis (Similar CS/2ND ENG/H 308)**

**Child Discipline/Task Forces;** creates Task Force on School Discipline; provides for appropriation; creates Task Force on Child Abuse & Child Neglect Reports; provides for appointment of members; provides duties of task forces; specifies contents of task forces' reports. Effective Date: 07/05/89.

03/30/89 SENATE Prefiled

04/14/89 SENATE Introduced, referred to Education; Rules and Calendar; Appropriations -SJ 128

04/24/89 SENATE On Committee agenda—Education, 04/26/89. 2:00 pm, Room-A-(LL-37)

04/26/89 SENATE Comm. Report: Favorable by Education -SJ 211

04/27/89 SENATE Now in Rules and Calendar -SJ 211

04/28/89 SENATE Extension of time granted Committee Rules and Calendar

05/12/89 SENATE Extension of time granted Committee Rules and Calendar

05/18/89 SENATE Withdrawn from Rules and Calendar -SJ 399; Now in Appropriations

05/31/89 SENATE Withdrawn from Appropriations -SJ 629; Placed on Calendar

06/01/89 SENATE Placed on Consent Calendar -SJ 686; Amendments adopted -SJ 762; Passed as amended; YEAS 38 NAYS 0 -SJ 763

06/01/89 HOUSE In Messages

06/02/89 HOUSE Received, placed on Calendar -HJ 1217; Read second time; Amendments adopted; Read third time; Passed as amended; YEAS 96 NAYS 7 -HJ 1219

06/02/89 SENATE In Messages; Concurred; Passed as amended; YEAS 36 NAYS 0 -SJ 1253

06/02/89 Ordered engrossed, then enrolled -SJ 1253

06/20/89 Signed by Officers and presented to Governor

07/05/89 Approved by Governor; Chapter No. 89-288

**NOTES:** Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

REVISED: April 26, 1989

BILL NO. SB 825

DATE: April 25, 1989

Page 1

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. Harkey <i>LH</i>	O'Farrell <i>WJ</i>	1. ED	Favorable
2. _____	_____	2. RC	_____
3. _____	_____	3. AP	_____
4. _____	_____	4. _____	_____

SUBJECT:

School Discipline

BILL NO. AND SPONSOR:

SB 825 by  
Senator Davis

I. SUMMARY:

A. Present Situation:

Student discipline has been the focus of three task forces in the 1980s. The 1982 Legislature called for a task force to study truancy and discipline. In 1984, the 18-member Truancy and Discipline Task Force recommended that school districts reduce the incidence of corporal punishment and out-of-school suspensions and that schools be required to include in their annual reports to the district the incidence of corporal punishment, out-of-school suspensions, dropouts, and attendance. The Truancy and Discipline Task Force also recommended closer cooperation between the Departments of Education and Health and Rehabilitative Services, more teacher training in the management of student conduct, alternative educational programs for disruptive or unsuccessful students, dissemination of information about programs funded through the Safe Schools Act, expansion of the School Resource Officer program, and the use of school volunteers to improve attendance and discipline.

The 1984 Legislature authorized the Florida Task Force on Alternative Education which submitted 53 recommendations to the Legislature in 1985. The 12-member task force called for a continuum of educational intervention services for disruptive or unsuccessful students, including intervention by school personnel prior to assigning students to in-school-suspension; the use of in-school suspension for offenses for which the penalty could be suspension, rather than for petty offenses; limiting the length of assignment to an alternative program to a period of time no longer than the legal limits of expulsion; and school district evaluation of the effects of in-school-suspension programs on the rate of out-of-school suspensions and student discipline.

In 1988, the Commissioner of Education appointed a 21-member Florida Safe Schools Task Force and asked the task force to devise guidelines for school districts to use in developing policies for safe schools. The task force made five recommendations for school board policies relating to student discipline. They recommended that parents and community agencies be involved in the early resolution of discipline problems, that suspensions and expulsions be used for major offenses such as those involving drugs and weapons, that rehabilitation and further education be provided for students who are expelled, that school officials use positive alternatives to corporal punishment, and that students' rights be safeguarded. During the task force's hearings, law enforcement officials testified that it is not helpful to law enforcement when schools simply turn their disruptive students out onto the streets, and they encouraged educators to use in-school suspension when possible.

Despite the recommendations that they be used sparingly, out-of-school suspensions have increased, as shown below:

Year	Out-of-School Suspensions
1987-88	134,457
1986-87	127,063
1985-86	119,473
1984-85	103,591
1983-84	101,164

**B. Effect of Proposed Changes:**

The bill would create the Task Force on School Discipline to review school policy regarding disruptive students, suspensions, expulsions, and the use of dropout prevention programs. The task force would make recommendations for providing safe and productive environments in schools and educating potentially disruptive students in a traditional school environment. The 13 members of the task force would be appointed by the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives and would be assigned for administrative purposes to the Division of Public Schools in the DOE. By March 1, 1990, the task force would be required to report to the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives a description of the factors in the traditional school environment that contribute to disruptive behavior by students; the effect of out-of-school suspensions and expulsions on the school dropout rate; a review of the research on disciplinary programs and a review of in-school-suspensions and disciplinary programs among the dropout prevention programs established pursuant to s. 230.2316, F.S., 1988 Supplement; recommendations for changes in the school environment to prevent disruptive behavior by students; recommendations regarding the continued use of out-of-school suspensions and expulsions; recommendations regarding the most effective disciplinary schools and programs and the possibility of their expansion.

**II. ECONOMIC IMPACT AND FISCAL NOTE:**

**A. Public:**

None.

**B. Government:**

The Department of Education estimates that 4 meetings of a statewide 13-member task force would cost \$15,912.

The cost of a 2-day meeting is estimated at \$306 per person.

**III. COMMENTS:**

None.

**IV. AMENDMENTS:**

None.

STORAGE NAME: sa\csh0308f.edk  
DATE: April 28, 1989

HOUSE OF REPRESENTATIVES  
COMMITTEE ON EDUCATION, K-12  
STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: CS/HB 308

RELATING TO: School discipline

SPONSOR(S): Committee on Education and Representative Glickman

EFFECTIVE DATE: July 1, 1989, or upon becoming law, whichever occurs later

COMPANION BILL(S): SB 825 Identical; Compare PCS/HB 308 & HB 1294

OTHER COMMITTEES OF REFERENCE: (1) Appropriations  
(2)

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I. SUMMARY:

The bill creates the Task Force on School Discipline to review, and issue recommendations concerning, public school disciplinary policies and programs. The Task Force is required to report its findings and recommendations to the Commissioner of Education, the Speaker of the Florida House of Representatives, and the President of the Senate by March 1, 1990.

A. PRESENT SITUATION:

The traditional forms of disciplining disruptive students in Florida's public schools have been corporal punishment, out-of-school suspension, and expulsion. More recently, there has been a movement towards using different disciplinary techniques, most notably, the use of in-school suspensions. The primary reasons for the change have been research indicating that expulsions and out-of-school suspensions contributions to a child's decision to drop out of school and concerns over possible child abuse implications in the application of corporal punishment.

State law now expressly encourages school districts to develop alternatives to traditional forms of disciplining students. School districts are encouraged to explore the use of in-school suspensions and attempt to help problem students.

In enacting the Dropout Prevention Act of 1986, the Legislature required school districts receiving dropout prevention funding to establish special disciplinary programs to deal with disruptive students. More specifically, the Act also requires districts to develop alternatives to expulsion and consider in-school suspension and crisis intervention centers and counseling services.

Corporal punishment remains the disciplinary measure of choice, for many principals, despite an overall reduction in its use.

The percentage of students receiving corporal punishment has decreased from 12 percent in 1982-83 to a low of 6.4 percent in 1986-87.

Methods used to discipline students (1986-87)

<u>Method</u>	<u>Number of students</u>	<u>% of membership</u>
Corporal punishment	103,647	6.40%
In-school suspension	87,982	5.50%
Out-of-school suspension	127,063	7.90%
Expulsions	903	.06%

B. EFFECT OF PROPOSED CHANGES:

The bill create the Task Force on School Discipline to review, and issue recommendations concerning, public school disciplinary policies and programs. The Task Force is required to report its findings and recommendations to the Commissioner of Education ("Commissioner"), the Speaker of the Florida House of Representatives ("Speaker") and the President of the Senate ("President") by March 1, 1990.

At a minimum, the Task Force report must include a description of the factors found to contribute to disruptive student behavior, the consequences of out-of-school suspension and expulsion policies, and a review of disciplinary programs. Characteristics of effective school district disciplinary programs must be identified.

The bill also would required the Task Force report to include a set of recommendations: recommendations regarding changes in the traditional school environment to reduce disruptive student behavior, the continued use of out-of-school suspensions and expulsions, and the possible expansion of effective disciplinary schools and programs.

The Task Force would have thirteen members. The Governor would appoint five members, the commissioner would appoint four members, and the Speaker and the President two each.

Members appointed by the Governor would include a member of student government, a member of a parent-teacher organization, a principal of a school for disruptive students, a school guidance counselor representative, and a school board member.

Members appointed by the Commissioner would include a district school board member, a superintendent of a school district with fewer than 20,000 students and a superintendent of a school district with more than 20,000 students, a teacher assigned to a dropout prevention disciplinary program, and a Department of Education representative.

Appointed by the Speaker would be a member of the House, and a

representative of a youth advocacy group.

Appointed by the President would be a member of the Senate, and a juvenile justice system representative.

Members would be entitled to receive per diem and travel expenses as provided in s. 112.061, Florida Statutes.

C. SECTION-BY-SECTION ANALYSIS:

None

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

The Department of Education would incur an indeterminate, though likely negligible, amount of administrative expenses in managing the Task Force.

Travel and per diem for the on-year period the Task Force meets would total \$13,000, assuming four meetings per year with each member attending, at \$250 per person per meeting.

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

The bill would prescribe no set level of funding.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

None

3. Effects on Competition, Private Enterprise, and Employment Markets:

None

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

The bill is consistent with the following policy of the State Comprehensive Plan relating to education:

(1)(b)16.h.: "Maintain a classroom environment, including student discipline, that is conducive to learning....."

IV. COMMENTS:

The bill is consistent with the spirit of the Speaker's Safe Children initiative and the following specific aspect of the Speaker's Policy Statement:

Human Resource Development: IV.A.g.--"school should be kept safer by removing violent and criminal elements...."

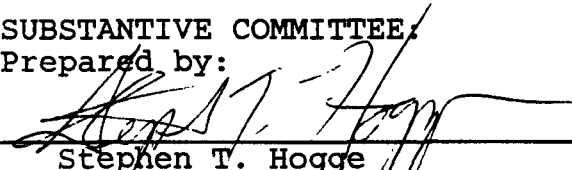
V. AMENDMENTS:

None

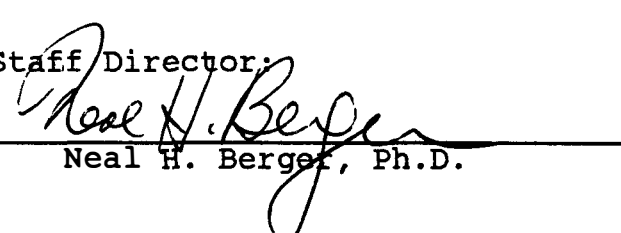
VI. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

  
\_\_\_\_\_  
Stephen T. Hogge

Staff Director:

  
\_\_\_\_\_  
Neal H. Berger, Ph.D.

SECOND COMMITTEE OF REFERENCE:

Prepared by:

\_\_\_\_\_

Staff Director:

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APPROPRIATIONS:

Prepared by:

\_\_\_\_\_

Staff Director:

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