

CHAPTER 5.00 - STUDENTS

5.13*

ZERO TOLERANCE FOR SCHOOL RELATED CRIMES

POLICY:

It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. This policy implements the State Board of Education's zero tolerance policy as outlined in State Board of Education Rule 6A-1.040.

- (1) Students found to have committed the following offenses on school property, school-sponsored transportation or during a school-sponsored activity shall be brought before the Board for expulsion:
 - (a) homicide (murder, manslaughter);
 - (b) sexual battery;
 - (c) armed robbery;
 - (d) aggravated battery;
 - (e) battery, aggravated battery or threats to a teacher or other school personnel
 - (f) kidnapping or abduction;
 - (g) arson;
 - (h) possession, use, or sale of any weapon (as defined by the school administration);
 - (i) possession, use, or sale of any firearm;
 - (j) possession, use or sale of any explosive device.
 - (k) possession, use, or sale of controlled substances and/or drug paraphernalia;

CHAPTER 5.00 - STUDENTS

- (l) threat or false report to do harm related to bombs or weapons.

The expulsion limit is a mandatory one (1) full year.

- (2) Prior to taking such action against any student, the School Board shall ensure that appropriate due process procedures are followed. If a student committing one of the offenses outlined in subsection (1) of this rule is identified as disabled and participating in a program for exceptional students, then school personnel shall follow procedures in State Board of Education Rule 6A-6.0331. This provision shall not be construed to remove a School Board's discretion in cases where mitigating circumstances may affect decisions on disciplinary action.
- (3) The School Board may assign more severe consequences than normally authorized for violations of the Code of Student Conduct when the offender appears motivated by hostility toward the victim's real or perceived race, religion, color, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, age, social and family background, linguistic preference, or disability.
- (4) Local law enforcement authorities shall be notified immediately when one of the offenses listed above is committed on school property, on school-sponsored transportation, or during a school-sponsored activity. Additionally, if the offense involves a victim, school officials shall notify the victim and the victim's parents or legal guardian if the victim is a minor, of the offense and of the victim's rights to press charges against the offender. School personnel shall cooperate in any investigation or other proceedings leading to the victim's exercise of rights as provided by law.
- (5) The school principal shall monitor the administration of discipline of students to ensure that discipline is administered equitably without regard to real or perceived race, religion, color, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, age, social and family background, linguistic preference, or disability. Annually, the principal shall review school discipline data with the school advisory council in developing school improvement plans to maintain a safe and healthy school environment that protects the civil rights of all students.

CHAPTER 5.00 - STUDENTS

STATUTORY AUTHORITY: 1001.41; 1006.21, F.S.

LAWS IMPLEMENTED: 120.57(1); 790.162; 790.163; 1001.43; 1001.54; 1003.31; 1006.07; 1006.08;
1006.09; 1006.13; 1212.28, F.S.

STATE BOARD OF EDUCATION RULES: 6A-6;.03311; 6A-1.0404

History:

Adopted: January 14, 1999 Revision Date(s): October 9, 2001; October 7, 2003; November 22, 2005; August 14, 2007 Formerly:
