

ZERO TOLERANCE FOR SCHOOL RELATED VIOLENT CRIME

Zero tolerance for school-related violent crime is part of a comprehensive approach to reducing school-related violent crime and for ensuring environments that promote learning and a high standard of student conduct.

Students who are determined by the principal to have committed a zero tolerance, violent crime on school property, on school-sponsored transportation, or during school-sponsored activities, shall be recommended to the Superintendent for expulsion. The Superintendent will consider each recommendation for expulsion on a case-by-case basis and may assign a student to a disciplinary program or alternative setting if it is determined to be in the best interest of the student and the school system.

The following list of offenses shall be considered zero tolerance, violent crimes:

1. Aggravated assault (threat with a weapon);
2. Aggravated battery;
3. Armed robbery;
4. Arson;
5. Battery or aggravated battery on a teacher or other school personnel;
6. Bona fide threat (see definition);
7. False Report (see definition);
8. Homicide (murder, manslaughter);
9. Kidnapping or abduction;
10. Possession, use, or sale of any explosive device;
11. Possession, use, or sale of any weapon or firearm;
12. Sale, distribution, possession, receipt, or delivery of illegal drugs;
13. Sexual assault;
14. Sexual battery, and
15. Victimization (see definition).

In accordance with Florida Statute 1006.13, this zero tolerance policy shall require students found to have committed one of the following offenses to be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year, and to be referred to the criminal justice or juvenile justice system.

1. Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.

2. Making a threat or false report, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.

District school boards may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. District school superintendents may consider the 1-year expulsion requirement on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system. If a student

committing any of the offenses in this subsection is a student with a disability, the district school board shall comply with applicable State Board of Education rules.

The principal or the principal's designee shall notify a local law enforcement agency when a zero tolerance, violent crime has been committed. If the offense involves a victim, the victim and the victim's parents or legal guardian shall also be notified of the offense and of the victim's right to make a statement to law enforcement officials.

State Board Rule 6A-1.0404, Florida Administrative Code, provides for teachers and other school personnel to file charges against a student if a crime has been committed against a teacher or other instructional personnel on school property, on school sponsored transportation, or during school sponsored activities.

Florida Statute 1006.13
School Board Policy 5500
SBER 6A-1.0404
Gun-Free School Zone Act of 1994

PROHIBITION OF FIREARMS

In accordance with Section 18 U.S.C.s. 921, please note the following as it pertains to the *Code of Student Conduct* for elementary and secondary schools:

"Notice that any student who is determined to have brought a firearm, as defined in 18 U.S.C. s. 921, to school, any school function, or on any school-sponsored transportation will be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and referred to mental health services identified by the school district pursuant to s.1012.584 (4). Law enforcement will be contacted."

18 U.S.C. s. 921
Florida Statute 1006.07(2)(j); 1006.13 (2)(a); 1012.584(4)
School Board Policy 5500

WEAPONS AND DANGEROUS INSTRUMENTS

Weapons

In addition to firearms, students are strictly prohibited from possessing using, selling, storing, or distributing any object that may be used to inflict harm or to intimidate another person. Weapons, whether real or look alike weapons, will result in a recommendation for expulsion whether or not law enforcement action is taken.

Simulating a firearm while playing, wearing clothing as accessories depicting weapons or expressing an opinion regarding gun ownership rights are not necessarily grounds for disciplinary action unless those aforementioned behaviors cause a substantial disruption to the learning environment.

Students are required to immediately report knowledge of weapons and threats of violence by students and staff to the building administrator. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.

Examples of weapons include but are not limited to the following:

Fixed blade knives
Folding knives
Switchblade knives
Common pocketknives
Razor blades
Sharp cutting instruments
Ice picks
Dirks
Chains
Pipes
Nunchucks
Blow darts
Brass knuckles

Chinese stars
Billy clubs
Chemical irritants
Mace
Tear gas
Pepper spray
Poisonous gases
Sling shots
Electrical weapons or devices
Stun guns
BB guns
Propellant guns
Pellet guns
Look alike or toy guns

Dangerous Instruments

Dangerous instruments are anything not specifically designed to do harm to another person but used to do harm, to cause or to attempt to cause injury, or to put someone in reasonable fear of injury either intentionally or unintentionally including but not limited to belts, belt buckles, pencils, pens, compasses, combs, or hair brushes. Items used in such a way may result in a recommendation for expulsion.

Florida Statute 1006.07(2)

OFF CAMPUS FELONIES

In accordance with Section 1006.09 (2), Florida Statutes, suspension proceedings may be initiated against a student who is formally charged with a felony for an incident that allegedly occurred on property other than public school property. If, in an administrative hearing, the incident is shown to have an adverse impact on the educational program, discipline, or welfare of the school, the student may be suspended until the disposition of his or her case by the courts. As a result of such a hearing, the student may be suspended for longer than 10 days; however, such a suspension that exceeds 10 days shall not affect the delivery of educational services to the student and the student shall be immediately enrolled in a daytime or evening alternative education program where appropriate. If the court finds that the student did commit the felony, the School Board shall have the authority to expel the student.

Florida Statute 1006.09(2)
School Board Policy 5500