

Bill No. CS/CS/HB 267, 2nd Eng.

Amendment No.      Barcode 371416

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Rossin moved the following amendment:

**Senate Amendment (with title amendment)**

On page 71, lines 31,

insert:

Section 42. Section 230.235, Florida Statutes, is amended to read:

230.235 Policy of zero tolerance for crime.--

(1) Each school district shall adopt a policy of zero tolerance for crime and substance abuse pursuant to this section. Such a policy shall include the reporting of delinquent acts and crimes occurring whenever and wherever students are under the jurisdiction of the school district.

(2)(a) The 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 for criminal prosecution:

~~1.(a)~~ Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any

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1 school-sponsored transportation.

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

6 (b) Except as provided in paragraph (c), district  
7 school boards may assign the student to a disciplinary program  
8 or second-chance ~~second-chance~~ school for the purpose of  
9 continuing educational services during the period of  
10 expulsion. Superintendents may consider the 1-year expulsion  
11 requirement on a case-by-case basis and request the district  
12 school board to modify the requirement by assigning the  
13 student to a disciplinary program or second-chance ~~second~~  
14 ~~chance~~ school if it is determined to be in the best interest  
15 of the student and the school system. If a student committing  
16 any of the offenses in paragraph (a) ~~this subsection~~ is a  
17 student with a disability, the school district shall comply  
18 with procedures pursuant to s. 232.251 and any applicable  
19 state board rule.

20 (c) Any child found to have committed a delinquent  
21 act, regardless of whether adjudication was withheld, or who  
22 pleads guilty or nolo contendere to an act of bringing a  
23 firearm to school, to any school function, or onto any  
24 school-sponsored transportation must be assigned to a  
25 disciplinary program or second-chance school during the 1-year  
26 expulsion if such a program is available within the school  
27 district, and the court shall retain jurisdiction during the  
28 expulsion period. If the child fails to attend or comply with  
29 the requirements of the disciplinary program or second-chance  
30 school, the school shall notify the court and the department  
31 in writing. Violations of this paragraph shall be handled

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1 pursuant to the provisions of s. 985.231(1)(a)1.c.

2 (3) Each school district shall enter into an agreement  
3 with the county sheriff's office or local police department  
4 specifying guidelines for ensuring that felonies and violent  
5 misdemeanors, whether committed by a student or adult, and  
6 delinquent acts that would be felonies or violent misdemeanors  
7 if committed by an adult, are reported to law enforcement.  
8 Such agreements shall include the role of school resource  
9 officers, if applicable, in handling reported incidents,  
10 special circumstances in which school officials may handle  
11 incidents without filing a report to law enforcement, and a  
12 procedure for ensuring that school personnel properly report  
13 appropriate delinquent acts and crimes. The school principal  
14 shall be responsible for ensuring that all school personnel  
15 are properly informed as to their responsibilities regarding  
16 crime reporting, that appropriate delinquent acts and crimes  
17 are properly reported, and that actions taken in cases with  
18 special circumstances are properly taken and documented.

19  
20 (Redesignate subsequent sections.)

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23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 6, line 5, after the first semicolon,

26

27 insert:

28 amending s. 230.235, F.S.; requiring that a  
29 child found to have committed the act of  
30 bringing a firearm to school, to any school  
31 function, or onto any school-sponsored

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1 transportation be assigned to a disciplinary  
2 program or second-chance school; requiring that  
3 the court retain jurisdiction over the child  
4 during the expulsion period; providing that  
5 sanctions pursuant to s. 985.231, F.S., apply  
6 if the child fails to comply with the  
7 requirements of the disciplinary program or  
8 second-chance school;  
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