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A bill to be entitled
 An act relating to public school safety; amending s.
 1006.13, F.S.; revising requirements of district school
 board policies of zero tolerance for crime and
 victimization; authorizing expulsion, suspension, or
 placement in an alternative program of students found to
 have committed certain offenses; requiring consideration
 on a case-by-case basis; revising guidelines for reporting
 certain acts; requiring appropriate continuing educational
 services for student offenders; providing an effective
 date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1006.13, Florida Statutes, is amended
 to read:

1006.13 Policy of zero tolerance that addresses ~~for~~ crime
 and victimization.--

(1) Each district school board shall adopt a policy of
 zero tolerance that addresses ~~for~~:

(a) Crime and substance abuse, including the reporting of
 delinquent acts and crimes occurring whenever and wherever
 students are under the jurisdiction of the district school
 board.

(b) Victimization of students, including taking
appropriate all steps necessary to protect the victims ~~victim~~ of
 any violent crime from ~~any~~ further victimization.

28 (2) The zero-tolerance ~~zero-tolerance~~ policy may ~~shall~~
 29 require students found to have committed one of the following
 30 offenses to be expelled or suspended, with ~~or without~~ continuing
 31 educational services, from the student's regular school or ~~for a~~
 32 ~~period of not less than 1 full year~~, and to be referred to the
 33 criminal justice or juvenile justice system; however, if a
 34 referred student is not prosecuted or is found not guilty, the
 35 student shall be returned to the student's regular school:-

36 (a) Bringing a firearm or weapon, as defined in chapter
 37 790, to school, to any school function, or onto any school-
 38 sponsored transportation or possessing a firearm at school.

39 (b) Making a threat or false report, as defined by ss.
 40 790.162 and 790.163, respectively, involving school or school
 41 personnel's property, school transportation, or a school-
 42 sponsored activity.

43
 44 District school boards may assign the student to a disciplinary
 45 program for the purpose of continuing educational services
 46 during the period of expulsion or suspension. District school
 47 superintendents shall ~~may~~ consider the ~~1-year~~ expulsion or
 48 suspension ~~requirement~~ on a case-by-case basis and request the
 49 district school board to assign ~~modify the requirement by~~
 50 ~~assigning~~ the student to a disciplinary program or second chance
 51 school if ~~the request for modification is in writing and~~ it is
 52 determined to be in the best interest of the student and the
 53 school system. If a student committing any of the offenses in
 54 this subsection is a student with a disability, the district

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55 school board shall comply with applicable State Board of
56 Education rules.

57 (3) Each district school board shall enter into agreements
58 with the county sheriff's office and local police department
59 specifying guidelines for ensuring that felonies and violent
60 misdemeanors, whether committed by a student or adult, and
61 delinquent acts that would be felonies or violent misdemeanors
62 if committed by an adult, are reported to law enforcement if
63 they involve conduct that poses a serious threat to school
64 safety. Each district school board shall adopt a cooperative
65 agreement, pursuant to s. 1003.52(13) with the Department of
66 Juvenile Justice, that specifies guidelines for ensuring that
67 all no contact orders entered by the court are reported and
68 enforced and that all steps necessary are taken to protect the
69 victim of any such crime. Such agreements shall include the role
70 of school resource officers, if applicable, in handling reported
71 incidents, special circumstances in which school officials may
72 handle incidents without filing a report to law enforcement, and
73 a procedure for ensuring that school personnel properly report
74 appropriate delinquent acts and crimes. The school principal
75 shall be responsible for ensuring that all school personnel are
76 properly informed as to their responsibilities regarding crime
77 reporting, that appropriate delinquent acts and crimes involving
78 conduct that poses a serious threat to school safety are
79 properly reported, and that actions taken in cases with special
80 circumstances are properly taken and documented.

81 (4) Notwithstanding any other provision of law, each
82 district school board shall adopt rules providing that any

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83 student found to have committed a violation of s. 784.081 may ~~s.~~
84 ~~784.081(1), (2), or (3)~~ shall be expelled, suspended, or placed
85 in an alternative school setting or other program with
86 appropriate continuing educational services, ~~as appropriate~~.
87 Upon being charged with the offense, the student shall be
88 removed from the classroom immediately and placed in an
89 alternative school setting pending disposition.

90 (5) (a) Notwithstanding any provision of law prohibiting
91 the disclosure of the identity of a minor, whenever any student
92 who is attending public school is adjudicated guilty of or
93 delinquent for, or is found to have committed, regardless of
94 whether adjudication is withheld, or pleads guilty or nolo
95 contendere to, a felony violation of:

96 1. Chapter 782, relating to homicide;

97 2. Chapter 784, relating to assault, battery, and culpable
98 negligence;

99 3. Chapter 787, relating to kidnapping, false
100 imprisonment, luring or enticing a child, and custody offenses;

101 4. Chapter 794, relating to sexual battery;

102 5. Chapter 800, relating to lewdness and indecent
103 exposure;

104 6. Chapter 827, relating to abuse of children;

105 7. Section 812.13, relating to robbery;

106 8. Section 812.131, relating to robbery by sudden
107 snatching;

108 9. Section 812.133, relating to carjacking; or

109 10. Section 812.135, relating to home-invasion robbery,
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111 and, before or at the time of such adjudication, withholding of
112 adjudication, or plea, the offender was attending a school
113 attended by the victim or a sibling of the victim of the
114 offense, the Department of Juvenile Justice shall notify the
115 appropriate district school board of the adjudication or plea,
116 the requirements of this paragraph, and whether the offender is
117 prohibited from attending that school or riding on a school bus
118 whenever the victim or a sibling of the victim is attending the
119 same school or riding on the same school bus, except as provided
120 pursuant to a written disposition order under s. 985.455(2).
121 Upon receipt of such notice, the district school board shall
122 take appropriate action to effectuate the provisions of
123 paragraph (b).

124 (b) Any offender described in paragraph (a), who is not
125 exempted as provided in paragraph (a), shall not attend any
126 school attended by the victim or a sibling of the victim of the
127 offense or ride on a school bus on which the victim or a sibling
128 of the victim is riding. The offender shall be permitted by the
129 district school board to attend another school within the
130 district in which the offender resides, provided the other
131 school is not attended by the victim or sibling of the victim of
132 the offense; or the offender may be permitted by another
133 district school board to attend a school in that district if the
134 offender is unable to attend any school in the district in which
135 the offender resides.

136 (c) If the offender is unable to attend any other school
137 in the district in which the offender resides and is prohibited
138 from attending school in another school district, the district

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139 school board in the school district in which the offender
140 resides shall take every reasonable precaution to keep the
141 offender separated from the victim while on school grounds or on
142 school transportation. The steps to be taken by a district
143 school board to keep the offender separated from the victim
144 shall include, but are not limited to, in-school suspension of
145 the offender and the scheduling of classes, lunch, or other
146 school activities of the victim and the offender so as not to
147 coincide.

148 (d) The offender, or the parents of the offender if the
149 offender is a juvenile, shall be responsible for arranging and
150 paying for transportation associated with or required by the
151 offender's attending another school or that would be required as
152 a consequence of the prohibition against riding on a school bus
153 on which the victim or a sibling of the victim is riding.
154 However, the offender or the parents of the offender shall not
155 be charged for existing modes of transportation that can be used
156 by the offender at no additional cost to the district school
157 board.

158 (e) Notwithstanding paragraphs (b), (c), and (d), the
159 district school board must ensure that the offender continues to
160 receive appropriate educational services.

161 Section 2. This act shall take effect July 1, 2007.