

HB 1009

2014

1 A bill to be entitled

2 An act relating to zero-tolerance policies; amending
3 s. 1006.13, F.S.; revising the intent of the
4 Legislature to require schools to use alternatives to
5 expulsion or referral to law enforcement agencies;
6 requiring each district school board to adopt rules
7 requiring that a student found to have committed
8 certain offenses be placed in an alternative school
9 setting or other program, rather than expelled;
10 conforming provisions to changes made by the act;
11 providing an effective date.

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

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15 Section 1. Subsections (1), (5), and (8) of section
16 1006.13, Florida Statutes, are amended to read:

17 1006.13 Policy of zero tolerance for crime and
18 victimization.—

19 (1) It is the intent of the Legislature to promote a safe
20 and supportive learning environment in schools, to protect
21 students and staff from conduct that poses a serious threat to
22 school safety, and to require ~~encourage~~ schools to use
23 alternatives to expulsion or referral to law enforcement
24 agencies, except when there is a threat to school safety, by
25 addressing disruptive behavior through restitution, civil
26 citation, teen court, neighborhood restorative justice, or

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27 similar programs. The Legislature finds that zero-tolerance
28 policies are not intended to be rigorously applied to petty acts
29 of misconduct and misdemeanors, including, but not limited to,
30 minor fights or disturbances. The Legislature finds that zero-
31 tolerance policies must apply equally to all students regardless
32 of their economic status, race, or disability.

33 (5) Notwithstanding any other ~~provision of law~~, each
34 district school board shall adopt rules requiring ~~providing~~ that
35 a any student found to have committed an any offense in s.
36 784.081(1), (2), or (3) ~~shall be expelled or~~ placed in an
37 alternative school setting or other program, when ~~as~~
38 appropriate. Upon being charged with the offense, the student
39 shall be removed from the classroom immediately and placed in an
40 alternative school setting pending disposition.

41 (8) Except as provided in subsection (3), school districts
42 shall ~~are encouraged to~~ use alternatives to expulsion or
43 referral to law enforcement agencies unless the use of such
44 alternatives will pose a threat to school safety.

45 Section 2. This act shall take effect July 1, 2014.