

Related Entries: (Not identified at this time)

Zero Tolerance for School-Related Crimes

The School Board of Lee County is committed to providing safe environments at all District facilities that foster learning and high academic achievement. This policy implements the State Board of Education's zero tolerance policy as outlined in State Board Rules.

- (1) Commission of one or more of the following offenses on school property, school-sponsored transportation or during a school-sponsored activity is considered a serious threat to school safety and shall be reported to law enforcement. Students who are found to have committed one or more of the following shall be recommended for expulsion or alternatives to expulsion as determined by the particular circumstances of the misconduct:
 - (a) Homicide (murder, manslaughter)
 - (b) Sexual battery
 - (c) Armed robbery
 - (d) Aggravated battery
 - (e) Battery or aggravated battery on a teacher or other school personnel
 - (f) Kidnapping or abduction
 - (g) Arson
 - (h) Possession, use, or sale of any firearm
 - (i) Possession, use or sale of any explosive device
 - (j) Possession, use, or sale of controlled substances
 - (k) Making a threat or false report concerning use of any explosive material or device
- (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 paragraph (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 Rules. This provision shall not be construed to remove a School Board's discretion in cases where mitigating circumstances may affect decisions on disciplinary action.

- 49 (3) Local law enforcement authorities shall be notified immediately when one of the
50 offenses listed above is committed on school property, on school-sponsored
51 transportation, or during a school-sponsored activity. Additionally, if the offense
52 involves a victim, school officials shall notify the victim and the victim's parent(s) or
53 legal guardian if the victim is a minor, of the offense and of the victim's rights to
54 press charges against the offender. School personnel shall cooperate in any
55 investigation or other proceedings leading to the victim's exercise of rights as
56 provided by law.
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- 58 (4) When a student commits one of the following offenses that is considered a serious
59 threat to school safety, and it is determined by the school administration following
60 the School Based Hearing that the appropriate consequence is a recommendation
61 for alternative placement or expulsion; the incident shall be reported to law
62 enforcement:
- 63 (a) Alcohol
 - 64 (b) Breaking and Entering/Burglary
 - 65 (c) Disruption on Campus
 - 66 (d) Drug Sale/Distribution
 - 67 (e) Drug Use/Possession
 - 68 (f) Other Major Offense
 - 69 (g) Larceny/Theft
 - 70 (h) Robbery
 - 71 (i) Sexual Offense
 - 72 (j) Threat/Intimidation
 - 73 (k) Vandalism
 - 74 (l) Weapon Possession
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- 88 (5) The School Board may assign more severe consequences than normally
89 authorized for violations of the Student Code of Conduct when the offender appears
90 motivated by hostility toward the victim's real or perceived race, religion, color,
91 sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status,
92 age, social and family background, linguistic preference, disability or other
93 discriminatory reasons.
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- 95 (6) Offenses other than those listed in paragraphs (1) and (4) above are considered
96 petty acts of misconduct and are not required to be reported to law enforcement
97 officials per §1006.13(4)(c), F.S.
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- 99 (7) The school principal shall monitor the administration of discipline of students to
100 ensure that discipline is administered equitably without regard to real or perceived
101 race, religion, color, sexual orientation, ethnicity, ancestry, national origin, political
102 beliefs, marital status, age, social and family background, linguistic preference, or
103 disability. Annually, the principal shall review school discipline data with the School
104 Advisory Council in developing School Improvement Plans to maintain a safe and
105 healthy school environment that protects the civil rights of all students.
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- 107 (8) When a student is convicted or pleads no contest to certain violent crimes, the
108 offender must be separated from the victim and siblings of the victim, upon
109 notification from the Department of Juvenile Justice.
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112 **STATUTORY AUTHORITY:** 120.57(1), 1001.41, 1001.42, 1001.43, 1003.31, 1006.08,
113 1006.09, 1006.13, 1006.147, F.S. and SBER 6A-6.03311,
114 6A-1.0404
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116 Adopted: 10/19/10