

**FLORIDA STATE UNIVERSITY SCHOOLS
POLICY MANUAL
STUDENTS
CHAPTER 5.0**

5.32*

ZERO TOLERANCE FOR SCHOOL RELATED CRIMES

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. FSUS Leon shall strive to protect students, staff, visitors and volunteers from harm and to protect victims of crime from further victimization. In a disciplinary action, there is a rebuttable presumption that the actions of a student who intervened for the defense of others or in the student's own self-defense, was using only the amount of force necessary, to stop a violent act against a student, staff or volunteer that was necessary to restore or maintain the safety of others. This policy applies to conduct on FSUS Leon property, school provided transportation and at any school sponsored activity. This policy implements the zero tolerance policy as outlined in Florida Statutes.
- II. Acts that pose a threat to school safety are those acts that endanger the life or safety of a student, staff member or other person on campus or at a school or District sponsored activity. Such acts include but are not limited to
- A. Aggravated battery;
 - B. Armed robbery;
 - C. Arson;
 - D. Battery or aggravated battery on a teacher or other school personnel;
 - E. Kidnapping or abduction;
 - F. Murder;

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- G. Manslaughter;
- H. Possession, use or sale of a controlled substance;
- I. Possession, use or sale of any explosive device;
- J. Possession, use or sale of any firearm or weapon;
- K. Sexual battery.

III. Acts that are considered petty misconduct may disrupt the educational process but do not endanger the life or safety of an individual. Such acts include but are not limited to

- A. Cellular telephone violation;
- B. Defiance of authority;
- C. Disruption, minor;
- D. Dress code violation;
- E. Eating or drinking on the bus;
- F. Forgery;
- G. Horseplay;
- H. Leaving campus without permission;
- I. Lying or misrepresentation;
- J. Profanity;
- K. Vehicle parking violation.

IV. The District shall establish an agreement with the FSU Police Department for reporting conduct that threatens school safety and obtaining assistance from the appropriate local law enforcement agencies. Law enforcement consultation is not required for petty acts of misconduct which are not a threat to school safety.

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V. The District shall report to the appropriate law enforcement agency any act that poses a threat to the safety or welfare of students, staff and other persons on school property or at school events or is a serious violation of law. The following acts when committed on School District property or at a District activity shall be reported to the appropriate law enforcement agency:

- A. Alcohol violation;
- B. Alcohol, sale or distribution;
- C. Arson;
- D. Battery;
- E. Bomb or biochemical threat;
- F. Breaking and entering or burglary;
- G. Disruption of school, major;
- H. Drug use, sale or distribution;
- I. Explosives, possession or use;
- J. Extortion;
- K. False alarm;
- L. Firearms violation;
- M. Gang-related activity;

- N. Hate crime;
- O. Illegal organization, membership;
- P. Robbery;
- Q. Sexual battery;
- R. Sexual harassment;
- S. Sexual misconduct;
- T. Sexual offense;
- U. Stalking;
- V. Trespassing;
- W. Weapons violation;
- X. Any felony as defined by Florida Statutes.

- VI. Consultation with law enforcement is required when a student commits more than one misdemeanor, to determine if the act should be reported.
- VII. The school principal shall notify all school personnel of their responsibility to report to the principal or his/her designee crimes or incidents posing a threat to school safety and ensure the incident is properly documented.
- VIII. Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall be expelled.
 - A. Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.

- B. Making a threat or false report as defined in Florida Statutes, Sections 790.162 and 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.
- C. Assault or battery on specified officials or employees in violation of Section 784.081, Florida Statutes.
- D. Hazing as defined in 1006.135, Florida Statutes.

IX. When a student is formally charged with a felony or a delinquent act that would be a felony if committed by an adult, the Executive Director shall notify appropriate personnel including the principal, the transportation director, the student's classroom teachers, the student's bus driver and other school personnel who directly supervise the student.

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X. If a student committing any of the offenses in this policy is a student with a disability, the School Board shall comply with the applicable State Board of Education rules.

XI. Any student found to have committed a violation of Section 784.081(1), (2) or (3), Assault or Battery on Specified Officials or Employees, shall be expelled. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed on administrative leave pending disposition.

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XII. A student or his/her parent may request a review by the Executive Director of any disciplinary action taken by the District. Such request must be submitted in writing to the Executive Director within ten (10) days of the imposition of disciplinary action.

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ADDITIONAL REFERENCE: The Board Approved Student Code of Conduct

STATUTORY AUTHORITY: _____ 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 120.57(1), 775.08, 784.081, 790.162, 790.163, 985.04,
1001.42, 1001.43, 1001.54, 1003.31, 1003.42, 1006.07,
1006.08, 1006.09, 1006.13, 1006.135, 1006.14, 1012.28, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.03311

HISTORY:

ADOPTED: 4/14/09

REVISION DATE(S): 3/5/09, 12/8/09; 9/13/22; 12/5/23

FORMERLY: 4.10

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